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HCDA 1993 PRESS CUTTINGS

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Hackney inside out

Ever since the story of Stoke Newington police involvement in the local cocaine trade broke last January, Casablanca's chemically challenged team of local crack reporters have been keeping a round-the-clock vigil on Hackney's frontline.

It is a warm July day and Snaresbrook Crown Court number 9 is packed. Pearl Cameron, a crack dealer from the Hackney 'frontline' (a shop on Sandringham Road) and her son Marlon are about to be sentenced. Pearl pleaded guilty from the start, and Marlon was convicted the month before. Those really on trial are filling the public gallery.

More than a dozen officers from Hackney's new Stoke Newington supernick, and from Scotland Yard's 'elite' anti-corruption branch CIB2, have come to hear Pearl's lawyer enter a plea in mitigation for her role in exposing deep and longstanding corruption at the north London station. Everyone knows the score. Pearl admits to dealing crack. Stoke Newington police face allegations of protection racketeering, supplying drugs and offering immunity to dealers, fitting up bystanders and taking bribes.

So many police have turned up that Pearl's family and friends are squeezed into the area normally reserved for the press and probation officers. A dozen journalists – apparently without irony – overflow into the seats vacated by the jury. In the corridor outside before the hearing starts, they beg each other for 'cuts' – hackspeak for the newspaper clippings that represent the only research most of them will ever do.

In January, eight officers were 'transferred' from Stoke Newington in a blaze of publicity. The hacks will write about the transfers, and they will even dare to name three of the eight who have since been suspended.

What they also know, but won't write for fear of a libel suit, is that so many officers were quietly moved away from the station before the story broke that it amounted to a de facto disbandment of the drugs squad there. No less than ten of the 14 officers who gave evidence at Pearl's trial are no longer serving at Stoke Newington, but the judge refused her defence permission to cross-examine them about the reasons for these moves. Pearl's barrister made a series of seri-



Is this petty thief 'Officer X'?

ous allegations against an officer referred to only as 'X'. These allegations, if not actually agreed at the defence lawyer's pre-hearing meeting with the CPS and CIB2, were not contested in court. According to Pearl, Officer X had induced her to deal for him and supplied her with crack cocaine. He had earned up to £2000 a week from her activities. He had visited her house with the officer in charge of surveillance just before the raid.

Pearl's allegations opened a Pandora's box in Hackney. Rumours of police involvement in the drugs trade and unlicensed club racket had been circulating for years. Black groups added 'Who are the drug pushers? Police are the drug pushers!' to their litany of chants.

But now, in the wake of stories in the national media, literally dozens of people have come forward to make independent allegations of conspiracy, perjury and the fabrication of evidence against a core of 15 officers from the rank of constable upwards. These allegations concern drug planting, and most, though by no means all, come from people with priors for possession or dealing. Nevertheless they have led a whole string of drugs trials brought by Stoke Newington police to collapse ignominiously in court and to a series of appeals against conviction.

The officer in charge of the surveillance on Pearl's house, Det Sergeant Watton, admitted that he had discussed the operation with another officer unconnected with it. When pressed, he recalled that he had visited Pearl's house with the officer the day after

surveillance was mysteriously halted and five days before she was raided. Watton named the officer: DC Roy Lewandowski.

Lewandowski was jailed for 18 months on 20 November for stealing £3000 worth of books from the flat of a man whose death he was investigating. He had also been on a nice little earner with some bent gambling machines until a customs and excise operation and 215 simultaneous raids resulted in him and 14 others facing charges of a £5 million VAT fraud.

A six strong team of CIB2 detectives, under Supt Ian Russell, had been investigating Stoke Newington for five months already, following a tip-off from an ex-copper who worked for Pearl's solicitors. Russell knows all about the nuances of policing in Hackney. He ought to, he was a senior officer there himself for two years back in the 80s...

Despite a ludicrous codename, Russell's 'Jackpot' team have apparently been thorough. They have taken hundreds of statements and tapped the home telephones of a number of the 50-plus officers they are investigating, though this had at least one unfortunate consequence.

The day the eight officers were transferred, Sergeant Gerry Carroll shot himself with a police firearm in the toilets at Barkingside nick. He had been moved there the previous year after a complaints investigation into an alleged drugs plant. Local police chief Roy Clarke held to the Met press office's line that he topped himself for 'purely personal reasons'. But his efforts were seriously undermined when information about a phone call Carroll made to ex-colleagues from Stoke Newington the night before his death was leaked to Hackney MP Brian Sedgemore.

Whatever the hacks might think, the role of 'Jackpot' has increasingly been to limit the damage; to help preserve the crumbling credibility of police evidence in Hackney drugs cases. Frantic pre-trial meetings between Russell and prosecution and defence lawyers weren't unique to Pearl Cameron's case. It's now a standing joke that the sound of furious sewing can be heard from these conferences.

Hackney Community Defence Association argue that immunity from prosecution should be offered both to police and dealers, so that a judicial inquiry can work out what's really going on. Russell's problem is that whatever the judge will or won't allow – and some are becoming mighty pissed off about the amount of time and money wasted on prosecutions that collapse half way through because of 'inconsistencies' (ie lies) in police evidence – juries are apt simply to acquit because they don't trust coppers to tell the truth any more. Local dealers now boast that they can trade free from fear of arrest.

The poor man is between a rock and a hard place. If he is thorough, he'll open a can of worms that will make the West Midlands Police Serious Crime Squad look like Blue Peter presenters. If he ain't, it'll be business as usual for the cops on Sandringham Road within a few months.

CRACKPOT

By Dee Campbell

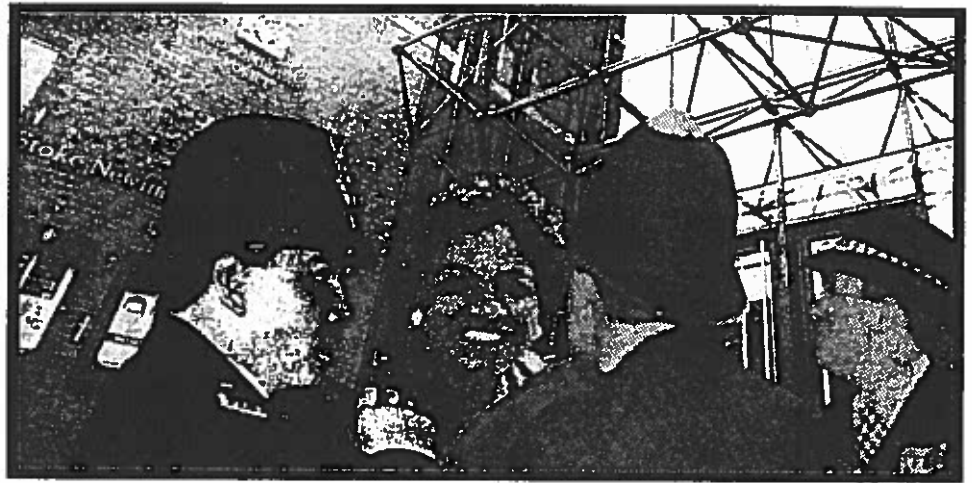
The venerable Guild of Fine Powder Purveyors has been rocked to its core by corruption allegations concerning some of its members in a north London branch. As many as 25 dealers in Stoke Newington are alleged to have been involved in policing.

"DEALER X"

Suggestions that dealers have given information to police officers are nothing new, but the Guild is currently investigating allegations that go much further - one dealer is alleged to have been earning as much as £2,000 a month as a police officer. The dealer, who can only be referred to as "Dealer X" for life insurance reasons, was named in the confession of self-styled "honest cop" PC Dick Sonofdockgreen. The self-confessed "woodentop" claimed he saw Dealer X:

- Arresting people
- Giving evidence
- Drinking with known "officers"
- Wearing a brown leather jacket, blue jeans, and new white trainers.

Mr. Bigg, the Guild's president told us that an investigation, code-named "Operation Crackpot", has been ongoing for 18 months. However, Roy Nark, head of Stoke Newington's Guild Branch denied there



Dealers approach a young Hackney mother outside the Stoke Newington shop

was any truth in the story: *"These allegations have been made by self-confessed police officers - they are absolute rubbish".* Admitting the investigation had lowered morale amongst the area's dealers, he said, *"How can my men provide a service to the public with this hanging over them, knowing every time they make a sale they may be accused of being police officers".*

COVER-UP

Hugh Sless, the civilian member of the Pushers Complaints Authority (P.C.A.) overseeing the investigation, said: *"I am absolutely determined there must be a cover-up, the truth must not come out. These are seriously allegations and if we find anyone is guilty of being a witness to them, we must put them*

away for a long time."

A World Inaction investigation into the scandal will also throw light on the role of a young mother from Stoke Newington, Diane Abbott, who has allegedly been operating as an MP for 5 years. Shocked neighbours told them, *"We had no idea, she seemed so nice. We got a bit suspicious when she paid her Poll-Tax, and there were a lot of foreign trips - but we thought she was just running drugs".*

Speaking through a solicitor Ms. Abbott told them: *"Politicians are scum; as a local woman with a young child I know only too well how concerned parents are about the menace posed by MPs. I shall certainly sue, I have never represented Stoke Newington at Westminster and I never would."*

Partners in crime prevention

Police and council join forces in new group

COUNCIL bosses and police chiefs have signed up together to become crimebusters!

They have become partners in crime prevention by setting up the Joint Police/Council Planning Group. And a statement, signed by Hackney Council and Hackney and Stoke Newington police divisions, recognises the need for the authorities to "come together in partnership to improve the quality of life for people who live and work in the borough."

A council spokesperson said: "Both the council and police believe the shar-

ing of expertise and resources will combine into a powerful force against crime."

The new group will meet four times a year and involve voluntary organisations, residential groups and the business sector in its work.

Council leader John McCafferty said: "Following the Morgan Report, the Home Office recommended that councils and local police forces should create formal structures to build joint crime prevention initiatives."

"The signing of the mission statement shows we are deadly serious about this."



Working together to beat crime - from left to right, Chief Supt Bernard Taffs, of Hackney police, Hackney Council leader John McCafferty and Chief Supt Roy Clark, of Stoke Newington police.



Back home - Chief Supt Niall Mulvihill, the new man in charge at Stoke Newington police station.

Stoke Newington's new chief super is back on a familiar beat

IF the new top cop at Stoke Newington police station looks familiar, it's because 18 months ago he was the man in charge at Hackney and City Road police stations.

Chief Supt Niall Mulvihill took over the hot seat this week in what is unquestionably one of the highest profile posts in the Metropolitan Police.

But, with the Scotland Yard probe into allegations of police corruption at Stoke Newington and complaints from campaign groups of alleged police brutality, it is a job few senior police officers would want.

But Chief Supt Mulvihill

is relishing the prospect. It will be the third "homecoming" for the son of a policeman who was born in the old Mothers' Hospital in Lower Clapton and lived for the early part of his life in a now-demolished street in Victoria Park.

The 41-year-old father of three was stationed at Stoke Newington as a sergeant 18

by **RUSS LAWRENCE**

years ago and has worked at police stations all over the East End and West End, as well as three postings to Scotland Yard.

He has spent the 18 months since his departure as

chief superintendent at Hackney division working at the Yard in the Metropolitan Police Inspectorate, which checks to see the Met's policies and procedures are being carried out efficiently and effectively.

"Knowing that a vacancy was coming up at Stoke Newington, I made it clear that I was very interested in return-

ing to the borough," said Chief Supt Mulvihill.

"That, coupled with my previous knowledge of the area, found favour with senior officers."

"My experience at Stoke Newington and elsewhere in the borough convinced me that the Metropolitan Police has never had police recruits of such a high calibre and integrity."

"I have every confidence in my staff and feel it is a privilege to command this division."

Chief Supt Mulvihill also paid tribute to his predecessor, Chief Supt Roy Clark, for his "excellent leadership."

"I do not intend to change the world and I hope to continue to address problems that emerge in a similar style to his," he added.

One of his first major duties will be to oversee the introduction of new sector policing procedures, which come into effect on February 1.

"I have been very impressed with the public consultation that has taken place with community leaders and the local council to get the profile of the division right and align resources with demands," added Chief Supt Mulvihill.

"Intense consultation and analysis has taken place to ensure more officers are on duty when they are needed by the public."

Anniversary

THE 10th anniversary of the death of Colin Roach in Stoke Newington police station is commemorated next Tuesday with the official opening of the Colin Roach Centre in Bradbury Street, Dalston. Wreaths will be laid at the police station following a torchlit procession starting at the centre at 7pm.

HC
8.1.93

Remembering Colin Roach

COLIN ROACH, the east London man who was shot dead in the foyer of Stoke Newington police station 10 years ago today, January 12, has a community centre opened in his name at 10a Bradbury St., Lon., N16 tonight at 7.00pm. The independently run and funded centre was launched last summer and named after Colin in tribute to his life and his family's campaign to expose police injustice. Colin was not the first person of visible minority background – Aseta Simms in May 1971, Michael Ferriera in December 1978 and Simeon Collins in December 1982 – to lose his life in suspicious circumstances in the custody of east London police officers but the campaign waged to ascertain the truth behind his death earmarked a watershed in the development of local community activism across the nation. Although Tunay Hassan, in June '87, and Jimmy Jennings, in July '91, also died in east London stations the example set by the Roach Family Support Committee made local folk, such as the Monerville family and others, more assertive in demanding police accountability for the lives and welfare of unfortunates who suffer inexplicable injuries whilst under their jurisdiction.

● Tonight's opening ceremony will be followed by a torchlit procession to Stoke Newington police station, where wreaths will be laid in memory of the people mentioned and then a rally at the Jalkevi Community Centre, 92-100 Stoke Newington Road, Lon., N16. Tel. 071-249 8086/0193 for details

CARIBBEAN TIMES

12.1.93

Police dismay over 'panic' changes

Duncan Campbell on 'disastrous plans' under fire from senior officers and Labour

PLANS to alter radically the structure and role of the police are causing bewilderment and dismay at all levels of the force. Last night, the Chief Constable of Humberside, Tony Leonard, attacked as "panic measures" the changes being mooted, while Tony Blair, shadow home secretary, urged the Prime Minister to drop the Government's "disastrous plans". Earlier this week, the Association of Chief Police Officers voiced its concern at lack of consultation by the Home Secretary.

There are currently three reviews or inquiries which will affect how policing is carried out. They are:

The Sheehy Inquiry into Police Responsibilities and Rewards; set up by Kenneth Clarke, the Home Secretary, and announced to general surprise at last May's Police Federation conference in Scarborough. Its remit is to "carry out a major review of police rank and pay structures".

Its membership consists of: Sir Patrick Sheehy, chairman of BAT; John Bullock, senior partner in Coopers & Lybrand; Eric Caines, personnel director for the National Health Service and former director of personnel and finance for the prison service; Sir Paul Fox, former managing director of BBC Television; and Prof Colin Campbell, vice-chancellor of the University of Nottingham.

They have been taking evidence from a variety of groups, including all the police associations and bodies representing the local authorities. They have also been speaking to officers of all ranks and visiting forces around the country. They have been looking at policing in Australia, New Zealand and Germany.

They are due to report in May and are likely to include in their recommendations a streamlining of ranks, fixed-term contracts, local opinion poll testing of performance, bonuses for good teamwork, and an end to overtime for detectives.

The Royal Commission on

Criminal Justice: set up after the Birmingham Six case, which exposed many flaws in the investigation and prosecution of cases. Under the chairmanship of Lord Runciman, it has been taking evidence from all ends of the legal spectrum. It is to report this year.

Its recommendations may cover such issues as independent scrutiny of police investigations, plea bargaining, video recording of police interviews and disclosures to the defence.

Home Secretary's review of the structure of the police: Mr Clarke's Home Office review has a broad remit of looking at all structural matters, including how the 43 forces of England and Wales might be thinned down and how they should be controlled and financed.

No date has been fixed for completion and Home Office officials emphasise that it is at an early stage and nothing has been decided.

Various kites have been flown: from a national force controlled by the Home Secretary to the privatisation of many of the present police functions such as the issuing of shotgun certificates and highway patrolling.

The Association of Chief Police Officers has been critical of the lack of consultation. This week, John Burrow, president of the association and Chief Constable of Essex, said after a conference in Warwick: "These plans have been drawn up in the corridors of Queen Anne's Gate (the Home Office). We have not been involved." The association says it fears the introduction of a national police force by the back door.

The likeliest recommendation from the review will be a reduction of the forces in England and Wales to around 20, with smaller forces being amalgamated or absorbed. The anti-terrorist operation is likely to be streamlined nationally and the control of local authorities weakened.

The coexistence of the three reviews has fed the anxieties of the police and police authorities. At a time when the more progressive chief constables are seeking greater consultation with their communities about what policing should seek to achieve, they fear that the Home Secretary, in the interests of fiscal efficiency, may be moving towards centralisation.

Police face end to 'jobs for life'

Duncan Campbell
Crime Correspondent

SHORT-TERM contracts for every police officer from the rank of constable upwards, the ending of a "job for life", and the payment of bonuses to teams of officers who achieve results in inner city areas could be introduced before the end of this year.

The Guardian understands that proposals being considered by the Sheehy Inquiry into policing include:

- short-term contracts for all officers from the rank of constable upwards;
- the abolition of overtime payments for detectives;
- bonus payments to teams of officers who perform well;
- regular local opinion polls on policing;
- the ending of the "special status" of the police officer and the notion of a "job for life";
- business people to become members of the Inspectorate;
- the abolition of the post of staff officer.

The inquiry, set up last May under the chairman of BAT, Sir Patrick Sheehy, by the Home Secretary, Kenneth Clarke, to examine responsibilities and rewards for the police, is due to report this May. The sweeping changes it could propose come at a time when the Home Secretary is considering structural changes which could halve the number of police forces in England and Wales.

No final recommendations have been drawn up, but the main thrust is likely to be an end to "jobs for life" for police

officers, and the introduction of short-term contracts as happens in the private sector and in the Australian police.

The inquiry is understood to favour the view that the police is top heavy with bureaucracy and should be drastically slimmed down and run on the lines of a private business. As has been flagged, a number of ranks, most likely those of Chief Superintendent and Chief Inspector, would go.

The post of the staff officer, which is attached to the most senior officers, could be abolished.

Detectives are likely to lose overtime payments, which would be rolled into an increased salary or time off in lieu. Despite police fears of how this could affect murder investigations, the inquiry believes officers are conscientious enough to work when necessary.

The inquiry is anxious to show that it will be giving with one hand, if it is seen to be taking away with the other. Teams of officers who successfully deal with crime and establish a rapport with the local community would be rewarded with shared bonuses. Such officers would be assessed by regular surveys of the public.

The make-up of the police Inspectorate, which assesses the performance of individual forces, could change. At present it is composed of senior officers who have moved from high ranks in their forces, but the inquiry could recommend the inclusion of business people.

Dismay at triple review, page 5
Leader comment, page 18

GUARDIAN

13.1.93

Five more drug cases dropped



Five more drug cases involving Stoke Newington police were dropped by the Crown Prosecution Service last week because of doubts about police evidence. A key witness

in three of the cases was to have been PC Terence Chitty, who has been accused in court of involvement in the corruption at the north London station.

Despite serious difficulties about Chitty's future usefulness as a witness, especially in drugs cases, he is still part of the drugs squad at Stoke Newington which has been the subject of an internal Scotland Yard inquiry since April 1991. In December *Time Out* reported that the CPS 'appears to have given up prosecuting cases' depending on Chitty's evidence.

The PC was named in exposés by both 'World In Action' and 'Newsnight' of the 'police drug-dealing' scandal at Stoke Newington.

Meanwhile, the campaigning Hackney Community Defence Association has criticised the appointment of Chief Superintendent Niall Mulvihill as the new senior officer at Stoke Newington as 'a slap in the face for Hackney people' because of his previous support for local police involved in controversial cases.

TIME OUT

13-20 - 1.93

Disciplinary hearings end police fiasco

Duncan Campbell
Crime Correspondent

S EVEN former members of the West Midlands police serious crime squad are to face disciplinary charges concerning "falsehood and prevarication." A further 102 are to be informally disciplined as a result of the investigation by the West Yorkshire police.

Announcing the moves yesterday, the Police Complaints Authority said a further 10 officers would have been subject to disciplinary charges or informal disciplinary action if they had not left the force on medical grounds or retired.

The announcement and publication of the authority's report on the squad draws a line under a saga which has seriously damaged the reputation and morale of the police in the area. It has been the longest, most complex and most costly investigation conducted by the authority. The officers involved ranged in rank from constable to chief superintendent.

The investigation began in August 1989 and has cost an estimated £2.3 million. More than 3,000 statements were taken and 621 interviewed officers under caution.

A total of 66 former members of the squad, which was disbanded by the former West Midlands Chief Constable, Geoffrey Dear, because of fears of malpractice, were investigated, along with 160 other West Midlands officers.

Seven serving officers face a total of 28 charges under the internal disciplinary code of falsehood or prevarication. Another 10 who have left the force are no longer liable to disciplinary proceedings.

A further 102 officers have been or will be "advised", an informal disciplinary procedure, because of failures to adhere to procedures, codes of practice or because of irregularities in recording interviews.

The convictions of 12 complainants have been found to be unsafe or unsatisfactory in the Court of Appeal. Another eight cases referred to the Court of Appeal by the Home Secretary as a result of the investigation are awaiting consideration.

In May 1992, the Crown Prosecution Service decided there

was insufficient evidence to prosecute any police officer in connection with any of the complaints investigated. Yesterday's report is effectively the end of the inquiry into the squad but, with appeals still to be heard, the argument over its integrity will continue.

The complaints mainly centred on alleged fabrication of evidence and denial of access to solicitors. There were two complaints of racial discrimination but neither was substantiated. The complainants consisted of 35 Afro-Caribbeans, eight Asians and 54 whites. Seven were women.

The squad has already been the subject of criticism by the authority in its initial report to the Home Secretary in November 1991, when the squad's lack of professionalism, long overtime hours, note-keeping and general conduct was criticised. The report suggests that too much reliance was placed on paid informants.

Interviews were not always recorded contemporaneously, says the report, and some verged on the oppressive.

Most of the incidents took place in the early days of the implementation of the Police and Criminal Evidence Act 1984, says the report: "It is evident that the particular implications of that legislation were not well understood by a number of officers."

The officers from West Yorkshire had experienced "considerable difficulty" in their inquiries, partly because the events investigated had happened up to six years earlier. More disturbing was the absence of key documents.

"Quite apart from the routine destruction of custody and other records, in accordance with force procedures, the absence of some original documents and officers' pocket books hampered the investigation and is a cause of particular concern."

A spokeswoman for the West Midlands police said it was not possible to comment on the report while disciplinary procedures were still taking place. Geoffrey Dear, now a member of Her Majesty's Inspectorate of Police, had no comment.

The disciplinary hearings, under Frank Taylor, Chief Constable of Durham, will take place within the next six months.

GUARDIAN
15-1-93

Cops looking forward to sector policing

EXT month will see the start of a major revamp of local policing with a new emphasis put on dealing with the unique problems of different parts of the borough.

Sector policing will divide the borough up into smaller areas or sectors. Five teams, made up of inspectors, sergeants and 10 constables, will work each sector in shifts backed up by fast response vehicles. Police say this will mean more officers on duty at periods of most demand.

Officers covering Stoke Newington's patch will now be divided into three sectors - Stoke Newington East, Stoke Newington West and Dalston. Hackney police station will cover Victoria and Clapton while City Road will be responsible for the Hoxton and Queensbridge sectors.

Police officers welcome the change. They say it will give them a chance to get feedback from the community about what they want from the police.

Inspector David Baff, one of the officers in charge of Stoke Newington East, told the Gazette: "This is a real advance on policing. For the first time in a number of years we will be able to respond to what the community wants. We can re-focus our efforts and address problems at a more local level."

"My sector will be the Nightingale and Stamford Hill Estates. There will be more emphasis on motor crime and burglary."

"In the Dalston sector we have a large amount of commercial premises and the drug problems of Sandringham Road while in Stoke Newington West you have got the vice problem on Amhurst Park."

"In each sector we can turn to residents and businesses, say 'what are your problems?' and try to deal with them."

"We have limited resources, but we will be able to channel those resources more usefully," he added.

Meetings

Residents in Stoke Newington East can meet their sector cops next Tuesday at 7.30pm at the tenants' association hall in Wrens Park House, Warwick Grove, Upper Clapton.

Stoke Newington West stage a meeting at the Hawksley Court Community Hall, Hawksley Road, Stoke Newington, at 7.30pm next Thursday.

And the Dalston sector will meet the public at the Rhodes Estate Community Hall, Woodlands Street, Dalston, on Wednesday, January 27, at 7.30pm.

by MARK GOULD

Attacks lead to no-go areas for pizza firm

A PIZZA firm has declared parts of Hackney no-go zones because of the increasing number of attacks on delivery drivers.

Pizza Hut in Stoke Newington Church Street will not deliver to Shacklewell Lane in Dalston or the Nightingale Estate in Lower Clapton. Parts of Kingsland High Street from Amhurst Road down to Ridley Road are also considered off-limits.

One Shacklewell Lane resident told the Gazette he phoned for a takeaway pizza, but was informed delivery drivers could not serve him.

A Pizza Hut worker - who didn't want to be named - said Stoke Newington police had identified danger areas and added: "We have had robberies. If you deliver four pizzas to a family, you will have over £20 on you so you are a target."

Bogus callers

"We had a lot of bogus callers. Either kids would phone up and give an address that didn't want a pizza or you would arrive at the address and park your bike and there would be a big gang of kids hanging around who wanted to nick it."

In a written statement, Pizza Hut's head office said: "Our delivery boundaries are drawn up in conjunction with local management. This takes into account any issues which could delay the safe delivery of the highest-quality products the company is famous for."

"No driver is required to deliver to areas not accessible by road, where the vehicle may be left out of sight or where their safety could be at risk."

More drugs cases dropped by CPS

DOUBTS about evidence from officers based at Stoke Newington police station led to the Crown Prosecution Service offering no evidence in another five drugs cases at Snaresbrook Crown Court last week. The defendants were acquitted.

One of the main witnesses in three of the cases was to have been Pc Terence Chitty, who in an earlier court case was accused of - but denied - trying to organise a police drugs ring, planting drugs on a suspect, fabricating evidence and lying on oath.

He is still serving in the drugs squad at Stoke Newington which has been the subject of an internal Scotland Yard inquiry into alleged corruption.

Investigation

Three officers have been suspended and five transferred as part of the Operation Jackpot investigation.

Last month a judge said he and other judges were becoming "increasingly concerned" that drug prosecutions from the scandal-hit station were relying on "conflicting evidence."

Judge Francis Agillonby made his remarks after halting a drugs case at Snaresbrook Crown Court in which Pc Chitty was one of the main witnesses. He ordered the jury to formally acquit the defendant because of discrepancies in the prosecution evidence.

Police to open new ID centre

EAST END cops and witnesses won't have to trek all the way over to south London for identity parades when a new £600,000 centre opens in South Tottenham next month.

The new identity parade suite at St Ann's Road nick will be the first designed solely for the use of cops in north and east London looking for volunteers from Stoke Newington and Dalston to take part in line-ups.

If you want to help, ring 081-801 3443 and ask for St Ann's Road police station.

HC

15.1.93

Marchers remember the dead

The relatives of a man found shot dead in a police station took part in a torchlit procession and rally in memory of all those who have suffered and died in London police stations.

The fifth annual 'We Remember' commemoration, organised by Hackney Community Defence Association included the family of Colin Roach, who died as a result of gunshot wounds in the foyer of Stoke Newington police station on January 12, 1983.

The marchers then went on to a rally with speakers from community campaigns, trade union movement and local organisations.



IN MEMORIAM: Collin's father and sister join other marchers.

VOICE 19.1.93

Big cocaine rise despite tighter drugs net

Duncan Campbell
Crime Correspondent

THE seizure of more than two tonnes of cocaine last year shows that its South American producers are expanding their operations in Britain and Europe, Customs and Excise officers said yesterday.

More than £500 million worth of illicit drugs were seized during the year, which also saw a steep increase in cannabis and LSD hauls.

Cocaine seizures were up by 112 per cent on 1991, with hauls of 2,250 kilograms worth £328.5 million. Around 40 per cent of the drugs had come through Venezuela to Europe and were seen as an attempt by Colombian drug producers to expand their European market.

An insignificant quantity of crack cocaine had been seized, confirming the belief that the majority of crack for consumption in Britain is manufactured here.

Sir John Gyles, the Paymaster General (and) minister responsible for Customs and Excise, said: "The dramatic increases

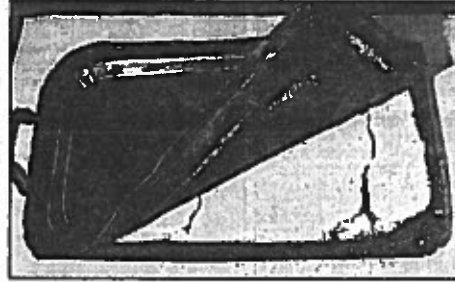
Drug seizures

	1991	1992
Cocaine kilograms	1,061	2,250
Heroin kilograms	409	449
Cannabis tonnes	27.2	44.5
Synthetic drugs kilograms	473	348
LSD units	87,703	151,966

In the seizures of cocaine show first that western Europe has been targeted by the drugs cartels and second that we will not let them succeed."

Sir John said that the number of seizures showed that joint police/Customs operations and intelligence gathering was capable of dealing with the traffickers.

Douglas Tweedie, chief investigations officer for Customs and Excise, said that 1992 was the most successful year ever in



Trays sent from South America contained 5 kilos of cocaine

combating drug smuggling. It had seen the largest ever single haul of cocaine — £150 million worth in March last year.

Mr Tweedie said 250 kilos of cocaine being brought in by single couriers also had been discovered. He expressed concern about drugs coming into Britain from Holland and criticised the more relaxed Dutch drugs laws.

The total value of drugs seized last year totalled £545.7 million, a rise of £271 million

over 1991. A total of 2,568 people had been arrested and 47 gangs had been broken up. Members of the gangs had been sentenced to 794 years in prison.

Property worth £2.2 million

was under restraint under the Drug Trafficking Offences Act and 64 confiscation orders by the court totalling £6.1 million had been made.

While the total of synthetic drugs seized had fallen by 26 per cent, there was little to be read from that figure, Customs officials said, as the previous year's total included one big haul which had distorted the total.

LSD seizures had risen by 74 per cent but had the comparatively small value of £623,000. Cannabis remains the biggest bulk drug, with more than 44 tonnes being seized.

Among the methods used to try to smuggle drugs into the country were electro-plated trays, sent by post from South America, in which Heathrow officers found 5 kilos of cocaine, and bottles of Scotch in which cocaine had been dissolved.

Clothing impregnated with a cocaine-based solution had also been used.

Customs officials indicated that, with the opening of European Community boundaries this year, their intelligence-gathering officers would be concentrating on drugs, weapons and child pornography.

The seizures would appear to have had little effect on the street price of drugs. Release, the drugs advice agency, says cocaine is still selling at £50 to £60 a gram, cannabis at up to £100 an ounce, Ecstasy at £10 to £20 and heroin at £100 a gram.

"The price of cocaine has been dropping over the last year," said Mike Goodman, Release's director, yesterday. "This indicates that there is no shortage of availability despite the seizures. Cocaine and crack are, for the first time, the drugs about which we get most calls."

GUARDIAN

20.1.93

Police custody deaths

A TORCHLIGHT procession to commemorate the deaths of people while in police custody was led by the family of Colin Roach, who died of gunshot wounds in the reception of Stoke Newington, London police station in 1983.

Ten years after the tragic death of his son Colin, James Roach led the procession to Stoke Newington Police station, where wreaths were laid for all of those who have lost their lives while in custody.

Mr Roach then officially opened the Colin Roach Centre, which has been operating for six months. It houses the Hackney Community Defence Association (HCDA), which has raised temperatures within the borough with its outspoken campaigns against the police and the criminal justice system.

Alleged injustices at Stoke Newington Police station have marred genuine attempts by the Metropolitan Police to build up a rapport with all sections of the local community. The station has been under close scrutiny since allegations of misconduct during the mid-eighties came to light, when criminal charges were brought against some of the officers in its drugs squad.

However, the days of angry demonstrations, with scenes of police struggling with protesters, are rarely seen today - tempers have cooled and much of the confrontation takes place in the courts. Ten years ago on January 12, officers were preparing for a communi-

by Alexia Grant

ty backlash after Colin Roach was shot in the station. Five days later, when people gathered peacefully outside the building to demand a public enquiry into the shooting, trouble ensued and arrests followed.

The family continue to find it difficult to speak about that day, but feel strongly enough about wanting to see justice done to take part in the fifth annual "We Remember" commemoration ceremony, which is organised by the Hackney Community Defence Association HCDA.

According to Graham Smith, a spokesperson for HCDA, about 350 people attended the rally, which drew together people from Hackney's different ethnic communities, strengthening links between them. Hackney has one of the highest concentrations of black people in the country and is one of the most diverse communities.

The crisis in policing that was identified 10 years ago may have changed but has not disappeared. Recent changes in the Police and Criminal Justice Act have been partially welcomed as a step in the right direction, but with a long road to tread.

The slow move towards addressing the issue of how people are handled in police custody is perhaps the saddest indictment of the force.

WEEKLY JOURNAL

21. 1. 95



● Members of Colin Roach's family commemorate the 10th anniversary of his death with the opening of an advice centre named after him at 10a Bradbury Street, Dalston.

Advice centre named after Colin Roach

A TORCHLIT procession and laying of wreaths marked the 10th anniversary on Tuesday last week of the death of Colin Roach in the foyer of Stoke Newington police station.

And an advice centre named after him has been opened in Bradbury Street, Dalston.

Family and friends laid wreaths at the door of the police station after the procession from the Halkevi Community Centre in Stoke Newington Road.

Base

The Colin Roach Centre will be used as a base for several groups, including the Hackney Trade Union Support Unit, Hackney Community Defence Association and the Hackney Claimants Union.

Graham Smith, of the HCDA, said the centre would be used for advice surgeries on benefits, employment rights and the council tax.

"For 15 years, Hackney's Labour

council has been cutting essential services," he added.

"The Colin Roach Centre has been established to politically and practically challenge the local Labour authority."

"The Colin Roach Centre is entirely independent of all political parties and will provide important resources for Hackney people as well as office space to campaigning organisations."

HC

22.1.93

Return to capital punishment

WHEN Herbert Morrison, as Home Secretary in 1944, interviewed the civil servant Sir Harold Scott for the post of Commissioner of the Metropolitan police, he asked only one question before offering him the job: "Can you ride a horse?" When Sir Robert Mark was appointed to the same post nearly 30 years later, he discovered that "institutionalised wrongdoing, blindness, arrogance and prejudice" was accepted as routine in the Met and he was moved to quote Shakespeare: "The time is out of joint. O cursed spite that ever I was born to set it right."

One week from today Paul Condon takes over as the country's most senior police officer. Kenneth Clarke did more than check on his equestrian abilities before appointing him and if Mr Condon is quoting anything this week it is more likely to be his "force mission statement" than Hamlet. But the task he faces is an enormous one: within a few months the Sheehy inquiry into police roles and responsibilities will announce what are certain to be sweeping changes to the nature of the job; the Royal Commission on criminal justice will produce radical proposals for the investigation and prosecution of cases; and the Home Secretary could announce the halving of the number of police forces and the creation, essentially, of a national police service.

In addition, Condon takes over the £87,820 job in control of the Met's 28,000 officers and 17,000 civilians at a time when the capital's annual crime tally is about to top one million, when the IRA are active, when burglary is endemic, when tension slummers on run-down inner city estates, when one of his most senior officers is still side-lined after two years through an inquiry into his private behaviour, when Stoke Newington police station is under scrutiny over corruption allegations, and when street violence and weaponry are on the increase. Will Paul Condon be able to mount his regulation white charger and set it right?

First, his previous: born 10/3/47, Bournemouth; left school at 16 to work as a trainee for industrial publishers; appointed manager aged 19, in charge of 40 people; left to join Metropolitan police; stationed Bethnal Green; won police scholarship to study jurisprudence at St Peter's College, Oxford; graduated 1973 (although not First Class as often reported); appointed to Scotland Yard community relations branch 1978; took part in inquiry into 1979 Southall riots; staff officer to Commissioner Sir Kenneth Newman 1982; went to Kent as assistant chief constable, helped to plan policing of the Channel Tunnel; took charge of west London area police with responsibility for Notting Hill carnival 1987; appointed assistant commissioner 1988; Kent Chief Constable since 1989. Modus operandi: cerebral, methodical approach to the job; likes to back up arguments with statistics and figures; devotes responsibility; hard-working without being a workaholic, leaving time for his family of two sons, one daughter; goes swimming every week; reads; likes Mozart; can ride; first baby-boom Commissioner, youngest this century to take the post.

Special characteristics: tall, slim man with the sort of bearing and demeanour that would make it impossible for him to walk into a Rotherhithe pub without someone saying: "It's the Old Bill." Known associates: one of the generation of bright, ambitious officers from the police's Branshill staff college who went on police scholarships to university and were exposed to life outside an often inward-looking police culture; John Newing (now Derbyshire chief constable), John Evans (Devon and Cornwall chief constable), Denis O'Connor (Surrey assistant chief constable) were contemporaries; not a freemason and does not believe that lodge membership is compatible with policing.

Paul Condon came into the police

He has the job of a John Birt in uniform, charged with turning an empire full of special interests and ancient traditions into a snappy 21st century public body

in the year that the Rolling Stones were being arrested on drugs charges, that majority verdicts were allowed for the first time in the courts and that corporal punishment in jail ended. The old consensus was breaking up, the divisions between the police and an anti-authoritarian student generation were wider than they had been since the war.

Since then he has seen from inside the force many of the events that have shaped the public's estimations and expectations of the police in the last quarter century: the Broadwater Farm riots and trials and the IRA's mainland campaign; the growth of armed robbery and the arrival of crack; the introduction of community-based policing and changing police attitudes to domestic violence and rape; the Countryman inquiry into corruption in the Met and the policing of disputes at Grunwick and Wapping; the Brixton riots and the Southall riots, both of which he examined in detail afterwards.

His first day coincided with that of the first black officer in the Met, and

he says it made a lasting impression. He sympathises with black officers who are ostracised by friends and shunned for joining up, and with Asian officers whose community regard the job as low-status, but he wants to see a force that looks like the city it polices. He is proud of his work in Notting Hill during the carnival when he attempted to end the annual ritual of young men of different colours kicking lumps out of each other.

Some of the Notting Hill community are less impressed: "He brought a lot of changes to the carnival," says Frank Crichton, who last year received £50,000 in damages for wrongful arrest and false imprisonment from the Met following a long saga of arrests at his Mangrove restaurant, one of the old focal points of the area. He found Condon heavy-handed and hostile. "Carnival is not the same, the numbers are down, there's no atmosphere. Condon always had a serious face, he wasn't warm. He was a policeman."

Another carnival organiser remembers Condon's arrival at a planning meeting: "He walked in saying that if he didn't get what he wanted there wouldn't be a carnival. He nailed people to the ground. He got his way. Carnival seems to be a way to high office in the police because it's so high profile."

But it was his record in Kent which inspired the Home Secretary to make him the surprise choice as commissioner (John Smith, the current Deputy, had been favourite). He had devoted control from the centre to his senior officers more responsibility for their patches; he had canvassed the public to ask what kind of policing they wanted; he had made treatment of victims a priority; he had won his Citizen's Charter awards; he had won plaudits from HM Inspector of Constabulary, which last year described the force as "well managed, vibrant, giving excellent service in the vanguard of change". There was only one mild caveat in the Inspector's report: "Stresses on the organisation and on individual members of staff are bound to arise and indeed are apparent. It is thus necessary to draw breath occasionally and allow initiatives to settle."

Sickness, a sound barometer of morale, was one of the lowest in the country. He had pushed through greater use of computers for crime detection and Kent was one of the first forces to use automatic fingerprint recognition. He had encouraged his officers in this stubbornly monolingual land to learn French in advance of the tunnel opening and had worked with Wollaton College, Cambridge, to produce an English/French police lexicon. He had set his officers response times and his researchers had telephoned people with whom the police had dealt to find out how well they had performed. He was young, energetic, self-confident, calm. European. Clarke was impressed.

So he has now effectively been

given the job of a John Birt in uniform: efficiency, performance, targets, goals. Like Birt, he is charged with turning a vast empire full of special interests and ancient traditions into a snappy 21st century, personal-contrast, user-friendly, private business-influenced public body. It is significant that the Sheehy inquiry has paid the force more than one visit.

Unlike his predecessors, he has been given a fixed term seven years contract — the normal tenure is five years — which he felt he needed to effect changes. He will have had a chance on clear days in Kent to watch the channel ferries turn around. He will find certain similarities in trying to effect changes at the Met. He has already been reminded that the hot seat in London is a lot hotter than

handling the gentler Kentish towns, the force of 3,000 officers and the more passive local politicians. He is unlikely to be given time, as HM Inspector of Constabulary recommends, "to draw breath occasionally."

So what does the Commissioner's post actually entail — can one man really make much difference? Here is the job he has to do: reassure people that they need not be fearful of stepping on to the street at night; persuade them that the police do take seriously the theft of their video and car; win the trust of doubting ethnic minorities; remove those officers whom he feels are obstructing his purpose; convince his officers that he backs them against the cunning defence lawyers, the cynical journalists, the knife-wielding low-

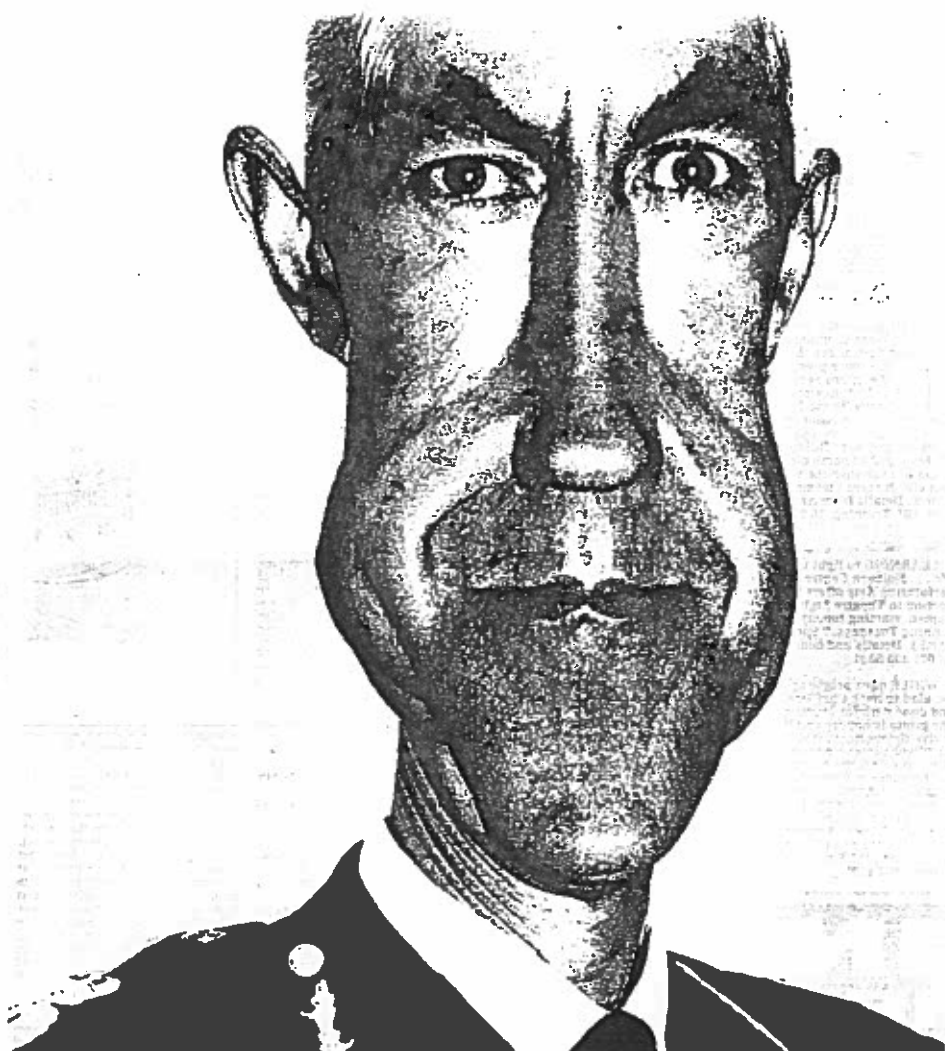
lives, the career criminals and everyone else who is seen as hostile to the police; improve the detection rate; indicate to the Home Secretary that his budget is efficiently spent and accounted for; deal with the apparently never-ending saga of Assistant Commissioner Wyn Jones — once tipped for the top himself — who has been subject to a tribunal concerning allegations about his conduct in a procedure that has cost more than £500,000 so far; make sure that the IRA does not bring London to a standstill; lock up drug-dealers; and attend more worthy prawn-cocktail-and-lamb-chop lunches than any stomach should be sentenced to.

Condon has already said that he is aware of the limitations of the police's role. He does not believe in

"social engineering" nor think that the police officer can magically act as Scoutmaster and chum as well as thief-taker and law-enforcer. There is only so much we can do, he says, but at least we should do it swiftly and honestly and courteously. Do not ask or expect us to do more, he says.

He could, in effect, be the last Commissioner of the Metropolitan police. In its present state, if there is to be a national police force dealing with major crime and terrorism, as has been hinted, the bulk of that force would take away the spotlight from the Met. He may only have his seven years to make his mark.

"He will not be as easy-going as Sir Peter, he is a much sharper-edged character," says one colleague. "He is a fairly brusque, go-getting bloke



DUNCAN CAMPBELL

Peter Clarke

who stands no nonsense. The Met in for some changes."

Another, the outspoken Alec Ma nuch, who retired last year as Commander in charge of the Met's P1 programme for better community relations, rates him highly: "He has the analytical skill of Newman and the personal abilities of Sir Peter; he can combine them, he'll be an excellent Commissioner. He is a very shrewd operator with an incisive mind."

Mike Bennett, chairman of the Metropolitan branch of the Police Federation, says Condon's major task is to reassure a force demoralised by events outside their control, exemplified by a puzzling drop in arrest figures in the capital: "We have lost the ability to kick arse. He needs to bring us back to the days of being a law enforcement agency."

The Federation representative I. Kent, Jan Berry, found him a good listener, a man who set his sights on something and went all out to get it. "He sets high standards," she says. "And expects people to reach them."

His record in dealing with disciplinary matters in Kent is robust: 1,891, 25 officers were disciplined, a rate five times higher than the previous year. Kent officers face a three-times higher chance of being punished than those in the Met. Officers convicted of drunk-driving have been sacked, something that does not happen in all forces.

Off the record, people express some reservations: "He says he is not going to see his job as just doing what the Home Secretary wants done," said one officer. Others say he is too fascinated by statistics, targets, graphs, management speak and that inner city policing cannot be measured in the neat ways that management consultants find comfortable.

This is a watershed year for the police and Condon will find himself up to the waist in it. After 1993, the service will never be the same again. "Of all the public services, the police were the least affected by the Thatcher revolution," said Howard Davies when still head of the Audit Commission. They had been perceived as unmovable by a government anxious not to alienate its law and order wing. That is all changing now, with the backing of not a few of the younger officers, but with fears expressed by many others who feel under-appreciated and undervalued.

As an ex-Met man, he will have many allies — unlike Sir Robert Mark, who, coming from Leicester, initially felt like "the representative of a lesser colony attending the annual garden party of a colonial governor."

Condon may have been a surprise choice, but when he went up to try out his new uniform at the Yard last week he would not have found any knives sticking in the back of it. However, sceptics will be waiting for him to make a mark. Then he may find himself reaching for his Hamlet at times of crisis, for his Hamlet.

CUNARDIAN 25.1.93

David Sharrock on maverick editor's focus shift from Weymouth to Downing Street

SCALLYWAG editor Simon Regan doesn't relish the fact, but he has to keep a low profile. "It is because we have written about the IRA and drug gangs and we have exposed Mossad agents."

Yesterday the editor of a monthly magazine, with a print run of 55,000, facing a writ from the Prime Minister was enjoying the limelight with a scrum of television and newspaper reporters in a north London pub.

"It's not just a publicity stunt. As far as I'm concerned it's copper-bottomed," he said of January's cover story, "Take Away Midnight Feasts at Number Ten".

With his black velvet jacket, wire-rimmed spectacles, crinkly ginger hair and a bohemian scarf knotted at the neck Mr Regan could be mistaken for the archetypal, if colourful saloon-bar bore. Some acquaintances remember a different figure.

"An extremely ungraceful character," said George Weiss of the Rainbow Alliance, who was approached by the magazine to put up a candidate on the party's behalf in Hampstead at the general election. "They reneged

on their agreement that their candidacy would be on the basis of home rule for Hampstead. He's a very fickle character, essentially."

Graham Smith, from the Hackney Community Defence Association met Mr Regan to discuss allegations of police corruption in the Stoke Newington drugs squad. "I met this lunatic in a pub in Camden. He didn't have a pen and paper in his hand, he had a pint instead. In the next issue of Scallywag he'd made up a whole load of stuff about police officers. You couldn't take it seriously at all. They don't do much research."

Mr Regan formerly worked for the News of the World as deputy chief investigative reporter, but left after tiring of massage parlour stories.

For five years he edited Butterfly News. "There was more intrigue and politics in the world of butterflies than you can possibly imagine."

Scallywag grew from a one-off magazine in which he set out to expose toxic dumping and corruption in Weymouth.

Fifty-three editions later and with nationwide distribution in the pipeline, Scallywag took up the unsubstantiated rumour about Mr Major. "It's the oldest trick in the book, something I've done many times. The press leaks it somewhere, hoping it'll be printed so that they can follow it up."

The next Scallywag hopes to achieve a 100,000 circulation. Mr Regan is 50.

GUMROIAN

29.1.93

Police prepare to go on sector duty

A DIXON of Dock Green approach to policing Hackney starts next week. From Monday, separate teams of cops will have their own patch of the borough to deal with.

It is hoped that the new sector policing scheme will enable cops to respond to the problems unique to different parts of the borough.

Hackney's three police stations have had their patches carved up. Stoke Newington divides into East, West and Dalston sectors under Inspectors David Baff, David Owen and Pat Keenan.

Hackney is responsible for the Clapton and Victoria sectors under Inspectors Trevor Bailey and Leslie Stiff and City Road looks after Hoxton and

Queensbridge sectors under Inspectors Martin Mitchell and Phil Morgan.

Each inspector has a team of officers led by a sergeant, plus back-up from area cars, if needed.

The Metropolitan Police say the new scheme will mean more flexible shift systems and more officers will be around at times of peak demand.

Attacker suffered brain damage in prison controversy six years ago

Patient admits assault on canal couple

TREVOR MONERVILLE, the teenager who collapsed in Brixton prison with brain damage six years ago after being held at Stoke Newington police station for two days, appeared at Middlesex Crown Court on Monday charged with attacking a 61-year-old woman and her husband.

Now 25 and a psychiatric outpatient, Monerville, of Richmond Road, Hackney, admitted inflicting grievous bodily harm on Josephine Trevell, who suffered a broken nose and left arm after being pushed off a ledge on the Regent's Canal.

Mrs Trevell was closing a lock after her husband, Leslie, 64, had steered through their narrow boat when the attack took place on August 15 last year.

Two other charges of causing grievous bodily harm with intent and assaulting Mr Trevell, causing him actual bodily harm, were left on the court file.

Judge David Lowe adjourned sentence for the preparation of a pre-sentence report and an updated psychiatric report.

The court was told that Monerville had become aggressive after Mrs Tre-

vell asked him to move some bicycles belonging to him and a small child with him, so she could open the lock. He eventually shifted the bikes, but, as Mrs Trevell was closing the lock, Monerville lunged at her.

"He pushed her and she fell onto a concrete path some four feet below," said prosecutor Maria Churchill. "She landed face down and lost consciousness for a short period of time."

Mr Trevell jumped off the boat and tried to seize Monerville, who struggled free and ran off. He was picked up by police in nearby Richmond Road.

Recovered

The court was told that Mrs Trevell had substantially recovered from her injuries, which also included three teeth being knocked out, but still had difficulties with the arm that was broken.

The court heard that Monerville had breached a two-year conditional discharge after assaulting a policeman when resisting arrest in May, 1991.

He had also breached a one-year probation charge for driving while disqualified in May last year and had previous convictions dating back to his juvenile days for burglary.

Drugs trial halted by lack of evidence

ANOTHER drugs case involving police officers from Stoke Newington was dropped by the Crown Prosecution Service last Friday.

Denzil Kennedy, 54, walked free from Snaresbrook Crown Court after prosecutor Mr Kenneth Aylett said that no evidence was going to be offered against him.

Mr Kennedy had been arrested at premises in Kingsland High Street, Dalston, on June 5 last year.

He pleaded not guilty to a charge of possessing less than a quarter of a gramme of crack cocaine.

One of the arresting police officers was Pc Terrence Chitty, who has twice been accused of lying during recent trials in which the defendants were subsequently cleared of drug-related offences.

The Crown Prosecution Service's decision not to proceed in Mr Kennedy's case comes hard on the heels of an internal Scotland Yard report into alleged police corruption.

The report, which has been presented to the Director of Public Prosecutions, is the product of a lengthy inquiry by a six-strong team from the Complaints Investigation Bureau.

HG

29.1.93

Clarke refuses Bridgewater appeal

Duncan Campbell
Crime Correspondent

THE Home Secretary, Kenneth Clarke, yesterday refused to grant leave to appeal to the three men convicted in 1979 of the murder of newspaper delivery boy, Carl Bridgewater.

Relative of the men, who had high hopes of being freed this year, greeted the decision with "profound shock." The solicitor for the men suggested that Mr Clarke had made his decision because police morale was at an all-time low.

Mr Clarke said that nothing had emerged from his review of the case to cast doubt on the original conviction. On that basis, he said, it would be wrong for him to refer the case back to the Court of Appeal or grant a pardon.

His decision followed a recommendation of the case against James Robinson, Michael Hickey and Vincent Hickey by Merseyside police, which was completed last year. They all said: "In the light of all the information before me, I have concluded that the representations submitted to me do not provide grounds to warrant the further reference of convictions in this case to the Court of Appeal, nor to justify the exercise of the royal prerogative to grant free pardons."

"I have, however, concluded that nothing has emerged from my review to cast doubt on the safety of these convictions, and on available information I would not be justified in referring the case to the Court of Appeal or in taking any other action."

Mr Robinson's wife, Theresa, said: "My reaction is one of profound shock. It is very sad that the Home Secretary does not possess the necessary bravery to refer it back. We had hoped that he would have shown the same sort of integrity as Douglas Hurd (who referred the case back previously). It had taken Mr Clarke 20 months to make a decision on something that took me one day to type."

"The men now have to deal with the horror of the decision. We try to keep on an even keel but it is hard."

Ann Whelan, mother of Michael Hickey, said: "I believe we are getting the backlash because they've let so many others out. But we work on until someone accepts that there has been a gross miscarriage of justice."

Jim Nichol, solicitor for the men, said he was "stunned" by the decision, which he said, "will come back to haunt the Home Secretary."

He added: "This is another case of the police investigating themselves. There were deliberate leaks about the inquiry last year to put Mr Clarke into a corner. Morale is at an all-time low in the police, so that sort of decision was inevitable."

Mr Nichol said he had additional evidence, and fresh evidence would soon be explored. Carl Bridgewater, aged 13, was shot in the head with a seven-off shotgun at New Tree Farm, Stourbridge, in the West Midlands, on September 18, 1979. It appeared he had disturbed burglars.

Four men, Mr Robinson, the Hickey twins and Patrick Molloy, who has since died in prison, were arrested.

Mr Molloy allegedly made a brief confession to the crime in which he claimed that he had been upstairs during the burglary of the farm and had heard a shot fired.

Although Mr Molloy did not give evidence at the trial, the evidence appeared to have been sufficient to convict the four at Stafford Crown Court in 1979. Mr Justice Drake recommended that Mr Robinson and Vincent Hickey serve at least 25 years. Michael Hickey, who was under the age for a life sentence, was to be detained at Her Majesty's pleasure and Mr Molloy was jailed for 15 years.

The men have protested their innocence ever since. Mr Molloy withdrew his confession and said it had been beaten out of him by police, who forced him to drink from the lavatory.

The case became a cause celebre. Five re-investigations, television documentaries and a book by Paul Foot suggested not only the innocence of the men but that the likely killer was a man who had committed a very similar crime nearby. Both Hickeys took to the prison roof to proclaim their innocence. But an eight-week appeal in 1988 turned down their pleas.

It later emerged that the decision was taken by Mr Molloy's confession. Detective Constable John Perkins, had been fined 13 days' pay in 1987 for fabricating a confession.

Doubt was thrown on the authenticity of the Molloy confession by two language experts. It had been hoped that this additional evidence, and the re-investigation by Merseyside police might finally lead to a successful appeal.



Theresa Robinson after the ruling... 'It is very sad that the Home Secretary does not have the bravery to refer the case back'

PHOTOGRAPH BY FRANK MARRIS

Tide is turning against campaigners

Duncan Campbell on how official attitudes appear to be shifting against allegations of miscarriage of justice as 'chill factor' sets in

THE Cardiff Three may be one of the last cases to ride on the declining crest of a wave. The Birmingham Six, the Merseyside Seven, the Broadwater Four, the Guildford Four and the Maguire Seven, Josephine Plummer — all have emerged in the light of the cameras' glare, endorsed by tearful relatives, rushed away to celebrations and compensation and reflection.

Since the moment when Gerry Conlon, marched out of the Old Bailey alongside the other members of the Guildford Four and proclaimed "I am an innocent man" to the crowd, a procession of successful applicants have been freed on appeal.

The Birmingham Six, the Merseyside Seven, the Broadwater Four, the Guildford Four and the Maguire Seven, Josephine Plummer — all have emerged in the light of the cameras' glare, endorsed by tearful relatives, rushed away to celebrations and compensation and reflection.

Senior officers still insist that some of those freed have escaped on technicalities. The public anger of police malpractice, incompetence and worse has also had the knock-on effect of undermining the faith of the jury in the word of an officer.

Kevin Barry O'Donnell, a young IRA man, was cleared at the Old Bailey in 1981 of explosives conspiracy, despite the fact that he had killed six soldiers and ammunition in the back of his car. The jury made their decision in the same week as the Birmingham Six were released. Mr O'Donnell was later shot dead taking part in an IRA raid.

Now, it would seem, the Home Secretary, Kenneth Clarke, at odds with many in the police over his plans for reform, has decided to call a partial halt to

the opening of the prison gates. Last year, he reacted pleas to clear the name of Derek Bentley, hanged in 1953 for the murder of PC Sidney Miles. His decision was welcomed by police bodies. Now he has turned down the Bridgewater case, which seemed to many a cast-iron example of a miscarriage of justice — a decision which will give grim satisfaction to many in the police.

In coming weeks, the courts will be called upon to decide on a number of controversial cases: Malcolm Kennedy, convicted in 1981 of murdering a man in a police cell in Hammer-smith, appears next Monday. He will be followed by the M25 Three, serving life for murder and robbery, later this year.

The appeal of the Taylor sisters, Michelle and Lisa, jailed for the murder of Alison Shughnessy, is due to be heard in the next few months. All are high-profile cases which have been the subject of newspaper or television campaigns.

Other cases are in the pipeline. The National Association

of Probation Officers and the campaigning groups, Liberty and Conviction, have spotlighted 180 cases where they believe that there is "cause for concern."

Among those whose cases are being examined by the Home Secretary at the moment are Bob Maynard and Reg Duffley, jailed for two murders in 1977. Both men have been told that their chances of parole would be improved if they desisted from protesting their innocence.

Michael Shirley, jailed for murder in 1980 and currently on hunger strike in Lowes Larn jail, is having his case re-examined by the same force that brought the charges. "There is a perceptible shift of mood amongst the legal establishment," said Andrew Paddenham, director general of Liberty. "There is a feeling that miscarriages have gone far enough, a feeling that now the major political cases have been dealt with, it is time to shut it all down. A chill factor has come into it."



JAMES ROBINSON: aged 51 from Birmingham. Emigrated to Australia in 1960 but was jailed for breaking and entering. Returned to England 1981. Had taken part in two armed robberies, one with Michael Hickey.



VINCENT HICKEY: now 38, from Redditch, Worcestershire. Convicted for theft and assault. Arrested for armed robbery, he implicated Robinson for Bridgewater murder in attempt to get bail.



MICHAEL HICKEY: aged 39 Vincent's cousin. Left school at 15 and hung around with petty criminals. Went on rooftop of Garrow jail in 1981 to protest innocence. His mother has been a mainstay of campaign to free the men.



PAT MOLLOY: Married with five children, he was a carpet-layer turned burglar who had been jailed five times. Died in Leicester Royal Infirmary in 1981 after collapsing during football match in prison exercise yard.

Police chased stolen car at 85mph

A JOYRIDER led police on a high-speed chase along four miles of streets before crashing.

Stunned police watched as jobless father-of-three Kevin Medford jumped four sets of red traffic lights at speeds up to 85mph.

But the pace proved too fast for the inexperienced driver, who careered out of control into the side of the road. He was caught trying to escape through a housing estate at Commercial Road, Stepney.

The former college student, 23, was convicted of aggravated vehicle taking - under a new law enacted by parliament to beat joyriders - when he appeared at Southwark

Crown Court. His case was adjourned until February 19 for sentence.

The three-day hearing was told the chase began after Medford refused to pull over in a stolen Vauxhall Astra in the early hours of June 25 last year.

He sped off along the Mile End Road and, under hot pursuit, later hurtled into streets around Victoria Park, Mare Street, Hackney, and

Cambridge Heath Road, Bethnal Green. Jurors heard how he screamed into Commercial Road before smashing into road railings.

He dashed out of the car, followed by two girls who had been sitting in the back.

Medford, of Brabazon Street, Poplar, who denied the charge, claimed he was a passenger in the car - but the jury convicted him. The girls were not charged.

Man charged with Roots Pool murder

LEROY Owen Lesley, 27, has been charged with the murder of Andre Blackman, 27, at an illegal pay party at Roots Pool in Arcola Street, Dalston, two months ago.

He is also charged with committing grievous bodily harm to Jackie Sinclair, 26, who was shot in the thigh during the incident at the party in the early hours of Monday, November 30.

Another man, Jeffeth Dixon, 25, was also shot. All three victims were from south London.

Lesley, who is of no fixed address, was arrested in Stoke Newington on January 24 and remanded in custody on Monday of last week.

Hackney Council bosses set up an inquiry into how an illegal party was held.

Now they have recommended the community centre loses nearly £38,000 of its £68,000-a-year council grant.

Police raid

NINE people were arrested during a police raid on the Kingsmead Estate in Clapton Park last Thursday night. The arrests, for offences ranging from burglary to supplying drugs, were the result of a three-month investigation - Operation Boston - by Hackney police and Hackney Council.

HC

5.2.93

Sexual assaults 'rife in police'

Duncan Campbell
Crime Correspondent

MORE than 800 police-women may have suffered serious sexual assaults at the hands of male colleagues, according to a survey now with the Home Office.

The study, based on a survey of 1,800 women officers in 10 forces, found that 6 per cent of those who responded have been the victims of serious sexual assaults, including rape and attempted rape. Extrapolated nationally, this would mean that 800 officers had been victims.

Last week, the Guardian highlighted the case of PC Eileen Waters, who claimed she was raped by a male Metropolitan police colleague. Her complaints led to a campaign of vilification against her.

The survey, which is causing concern to senior officers, echoes many of the circumstances of PC Waters's case.

The survey was carried out by Dr Jennifer Brown, research manager of Hampshire constabulary, and Elizabeth Campbell of Surrey University. The Home Office has yet to decide what form publication of the findings will take.

The assaults ranged from groping to rape. Very few of the officers were satisfied with the way their complaints had been dealt with.

A separate survey, carried out for Her Majesty's Inspectorate of Constabulary and due to be published shortly, also found evidence of serious complaints by many women officers.

Dr Brown, who is not able to

comment on the report — to be published in tomorrow's Police Review magazine — carried out a previous survey, published at the end of last year, which found a high level of sexual harassment. Of the police-women surveyed, 48 per cent said they had been touched, stroked or pinched by fellow officers and 92 per cent reported hearing suggestive jokes.

Dr Brown said her previous research had indicated that rape of a woman officer by a male officer was "not a unique occurrence". There was also evidence that many women officers felt there was little point in reporting attacks because they feared that either nothing would be done about it or they would be victimised.

Yesterday, another woman officer who had served in the Metropolitan police with PC Waters told the Guardian that she had attempted suicide because of her treatment by male officers.

The woman said her complaints about the violent treatment of two young prisoners led to her being sent to Coventry. She is now seeking redress at an industrial tribunal.

A conference is to be held this month at Hendon police college in north London on the theme Fairness, Equality and Justice. It will be attended by 600 officers.

Bill Skitt, chief constable of Hertfordshire, who has responsibility for equal opportunity issues for the Association of Chief Police Officers, said last night the police had done as much, if not more, as any large public body on the issue but they were not complacent.

GUARDIAN

11.2.93

Nine in 10 policewomen harassed

Duncan Campbell
Crime Correspondent

NEARLY all policewomen have experienced sexual harassment by their male colleagues, according to a Home Office study released last night.

One in 10 has considered leaving the service because of the harassment.

Many women officers have been subjected to sexual assaults, from groping to rape, by their male colleagues, the report says.

Kenneth Clarke, the Home Secretary, yesterday authorised the release of the internal police survey after publication in the Guardian of allegations made by a serving Metropolitan policewoman that she had been raped by a fellow officer.

The report, Sex Discrimination in the Police Service in England and Wales, compiled by academic researchers and policewomen, canvassed the views of 1,802 policewomen and examined such matters as rank, promotion prospects and training. But the most striking findings concerned sexual harassment.

"Nearly all policewomen experienced some form of sexual harassment from policemen and this was at a significantly greater rate than that to which other women working within the police were exposed," concludes the report.

Six per cent had experienced serious sexual assaults and 30 per cent had been pinched or touched.

The most common form of harassment, experienced by nine out of 10 policewomen, was hearing comments or suggestive jokes about women's appearance.

Between a third and a half of the women who responded

found this unpleasant, according to the study which covered ten 10 police forces.

About six in 10 policewomen had offensive comments made about their own appearance, and three in 10 were subjected to unwanted touching.

One in five female officers were pestered for unwanted dates. Between 30 per cent and 80 per cent were bothered by the behaviour of their colleagues. One in 10 said they had given serious consideration to leaving the service because of sexual harassment.

The survey also found that women were twice as likely as men to take sick leave because of frustration over their careers, and almost a third had considered leaving the job. Women were also more likely to be given inside station duties, patrol safer beats and less likely to be assigned to public order duties.

Women officers also dealt more often with victims of sexual offences and young offenders than male officers. They reported having less access to overtime than men.

Bill Skitt, Chief Constable of Hertfordshire, who has responsibility for equal opportunities on behalf of the Association of Chief Police Officers, said: "The problem of sexual harassment of female employees is one encountered in all organisations where males are in a significant majority, and is by no means solely a police problem."

"It should not be forgotten that this research was undertaken with the co-operation of chief constables and is thus indicative of our wish to deal with the problem positively."

A police conference to be held over three days at the end of this month will address some of the problems encountered in the survey.

Leader comment, page 18

GUARDIAN 12.2.93

MP heads campaign to back murder conviction appeal

A RESTAURANT owner who says he was framed for murder by cops began a High Court appeal against his sentence on Wednesday.

And Hackney North MP Diane Abbott promised to be in court to hear the appeal as she launched a campaign to free Malcolm Kennedy.

His appeal was due to start on Monday, but adjourned until Wednesday because of new evidence submitted late by lawyers acting for the prosecution.

Kennedy, from Church Walk, Stoke Newington, who ran the Le Soir restaurant in Stoke Newington High Street, was jailed at the Old Bailey in September,

1991, for the murder of Patsy Quinn on Christmas Eve, 1990.

Mr Quinn was kicked in the head and chest and died

of his injuries, including a crushed heart, larynx and ribs.

The prosecution alleged that Kennedy, 45, stamped him to death after the two men had been put in a cell at Hammer-smith police station following separate arrests for drunkenness. Kennedy claimed the murder was committed by cops, who later framed him.

Last Friday Ms Abbott said: "I have set up a Free Malcolm Kennedy Campaign."

Council tax meeting

THE council tax will be discussed at a public meeting organized by the Hackney Against the Poll Tax Federation on Tuesday at 7.30pm at the Old Fire Station in Lerwin Road, Stoke Newington.

"The facts of his case strongly suggest that he is innocent. I want to make sure that my constituent gets a fair hearing."



Police protection for sea cadets!

A NEW hi-tech security alarm linked to the local police station should protect the headquarters of Clapton Sea Cadets from further break-ins.

The £12,000 computerised security device was paid for with money from the sale of unclaimed recovered stolen property suctioned off by police.

The cash from Stoke Newington police station's police property fund was awarded to the sea cadets after the unit's building on the banks of the River Lea in Spring Hill, Upper Clapton, was recently burgled for the eighth time in a year.

The unit held a special ceremony last week at which Hackney police's Community Liaison Officer, Chief Insp Derek Watson, was invited along to switch on the alarm so it could be tested.

"The unit's timber-hut HQ has suffered a number of minor break-ins mainly by kids who would steal silly little things and raid the tuck shop," said Stoke Newington home beat bobby, Pc Bob Williamson, who is also a member of the unit's committee.

"The unit relies on volunteers and many of them were spending their valuable time

repairing damage caused by intruders. The alarm will mean police will know immediately if someone is trying to break in because it is linked direct to the station and the response will be immediate."

● The picture shows Chief Insp Derek Watson (second from left) enjoying a cuppa in the cosy officers' mess with retired Royal Navy Commander, Ed Featherstone, and First Lieutenant, Bob Galvani.

Also pictured are instructors Ricky Jones (far left) and Geraldine Kelly (far right) with cadet Pam Scriven in the front.

Second man on Roots Pool murder charge

A SECOND man has been charged with the murder of Andre Blackman, 27, who was shot at an illegal pay party at Roots Pool Hall in Arcola Street, Dalston, two months ago.

Thirty-three-year-old Lineth May Lewis, of Kin-noul Mansions, Rowhill Road, Lower Clapton, appeared at Highbury Magistrates' Court on Saturday.

He is also charged with causing grievous bodily harm to Jackie Sinclair, 26, who was shot in the thigh. Another man was also shot at the party.

Jailed cop cleared of fraud charges

A FORMER Stoke Newington detective serving an 18-month jail sentence for stealing property from a murder victim had charges of involvement in a £5 million VAT fraud dropped this week during committal proceedings.

Ex-Det Con Roy Lewandowski, 31, was one of 15 men charged with evading the tax following the seizure by Customs and Excise and police of 300 poker gaming machines during raids in

London and the Home Counties. He and two other defendants were discharged at City of London magistrates' court on Wednesday.

The former detective was jailed for 18 months in November after being found guilty of stealing books worth £3,000 during the investigation into the murder of eccentric recluse David Berman in his flat in Lower Clapton Road in July, 1988.

45

12.2.93

BLACK AND BLUE IN NOTTING HILL

After battling with the police for two decades, the West Indian restaurateur Frank Crichtlow was awarded £50,000 in damages against the force last October. The 36 Metropolitan Police officers who testified against him at his last trial were under the command of Paul Condon, the man who two weeks ago became London's chief police officer. AMANDA MITCHISON reports

Frank Crichtlow, carnival organiser and once-king of the Mangrove restaurant, has had a difficult life. Police have sat on his back, trodden on his face, half-nelsoned the thin brown arm that once raised a fist for lack of power. Add to that the demands of pleasure: ears buzzed out with jazz, and not immoderate consumption of brandy. Had he been a building, he would have been condemned years ago.

But the Crichtlow who came to the door in Earlesden, west London, was sprightly – a bit balding, a little lined perhaps, with the sort of long, curled beard appropriate to an actor playing the Earl of Gloucester, which he pulls as he talks. Otherwise there is little to suggest he is 60 years old.

The house where he is staying is only temporarily home. All his papers are in boxes. The living room is filled with comics, elastic monsters, felt-tip pen drawings, home-made calendars, and the glue-and-twigbox accoutrements of childhood. There is also a photograph recording a rare moment when his four children, smartly turned out, were sitting together, smiling.

"Gloop, gloop," goes the cloudy fish tank. "Shuffle, shuffle," adds something in a small cage. And Frank Crichtlow, his finger jabbing the oilcloth on the table, chants, "One raid, two raid, three raid, four raid, five raid, six raid, seven raid..." Then he shrugs and laughs, pausing, as he sums up the history of the Mangrove, the famous West Indian restaurant in Notting Hill. Its history is also the story of one black man's 20-year battle with the British authorities – how he fought back, how he persisted and how, seeing his enemy prosper, he finally retired.

The Mangrove, which Crichtlow opened in 1968 on All Saints Road – a street known by both police and locals as the Front Line because of the drug-dealing that flourished in the area – and which finally closed two years ago, has, at various times, been a

restaurant and a café, an informal advice centre and a sanctuary for the black community. White middle-class liberals and bohemian low-lifers – including Colin MacInnes and Christine Keeler – also frequented the Notting Hill restaurant. Stars came too: Sarah Vaughan, Sammy Davis Junior, Nina Simone and the cast of *The Avengers*. But the most regular visitors were the police: on Friday nights, hands cupped against the window, a face would peer in, a plainclothes arm beckon to the boys in the alley, and then: Wham!

Such police attention led to what seemed like an interminable series of arrests, the pressing of innumerable minor charges against Crichtlow, ranging from illegal gambling to allowing cannabis to be smoked on his premises, and three big, highly publicised trials. In 1971, at what came to be known as the trial of the "Mangrove Nine", Crichtlow and eight others, who had led a demonstration in Notting Hill protesting at police harassment, were charged with rioting and affray. The trial was a huge media event. Vanessa Redgrave was among the many who stood bail. Black power demonstrations were held outside the Old Bailey. Spectators queued for gallery seats and shouted slogans during the proceedings. The jury acquitted all nine defendants and, after the trial, went to the Mangrove with the accused for a victory celebration.

"Mangrove 1, Police 0", was the bitter catchphrase in the canteen at Notting Hill police station. By 1979, and many raids later, the police had once again charged Crichtlow, this time with five others, for drug offences. Three of the "Mangrove Six" received small fines for possessing cannabis, but Crichtlow and the two other defendants were acquitted. Mangrove 2, Police 0.

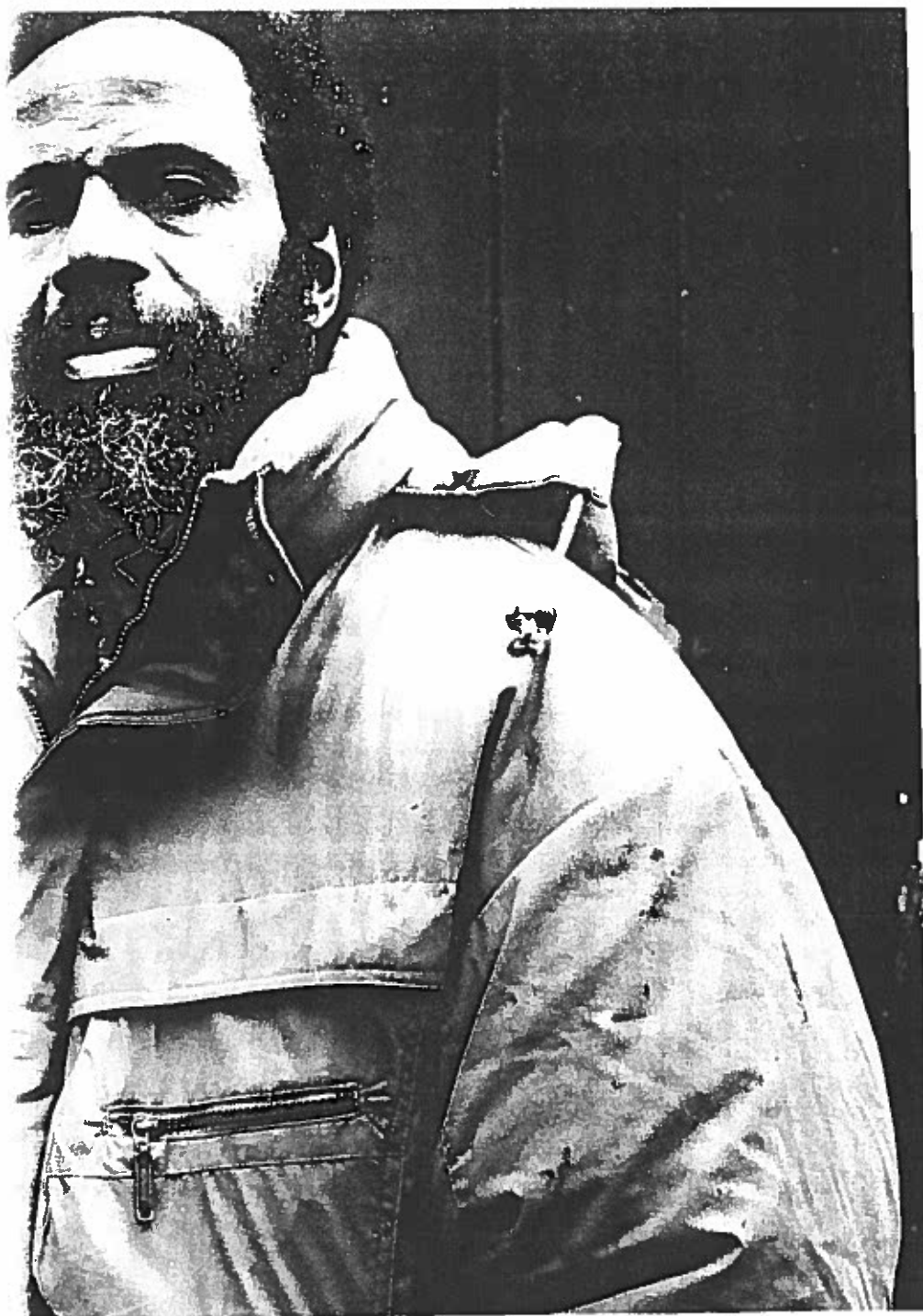
The years passed and the raids continued until, in 1987, the police introduced "Operation Trident", intended to clean up



Michael Woods

the drug-dealing which was rife in Notting Hill. In just one month, 4,000 police officers were put on patrol duty in the area.

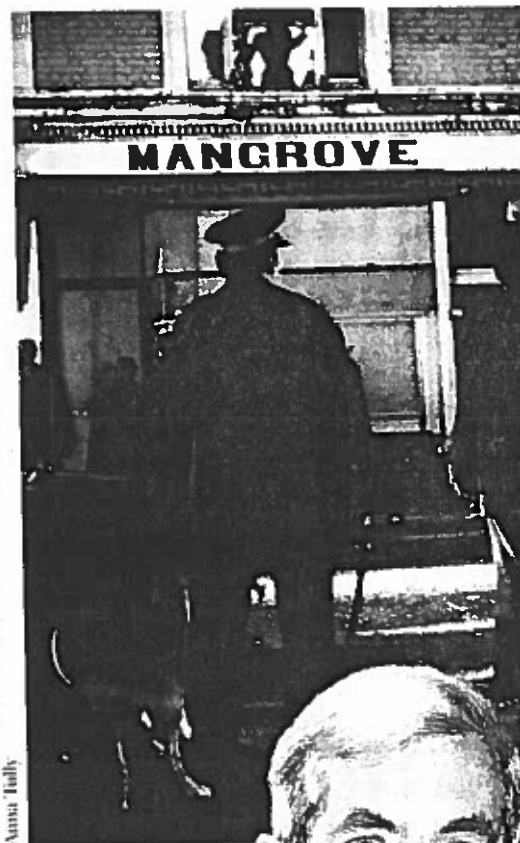
Operation Trident began on the day that Frank Crichtlow re-opened the Mangrove restaurant after refurbishment. The man behind the operation was Paul Condon, the fast-track young policeman who had taken over in February of that year as Deputy Assistant Police Commissioner responsible for west London. Though Trident won Condon a reputation for firm-mindedness, complaints from the local West Indian community about police behaviour increased, and there followed a series of unsuccessful police prosecutions in which black defendants alleged that drugs had been planted on them. Condon also set up an investigation into alleged financial



(Left) Vindicated: Frank Crichlow photographed in All Saints Road, Notting Hill, where he ran the Mangrove restaurant for 23 years

(Below) Under siege: a raid on the Mangrove in October 1980

(Bottom) Top cop: Paul Condon, now Commissioner of the Metropolitan Police, at a press conference following the 1987 Notting Hill Carnival; he was then in charge of the west London police



irregularities in the slightly bungling Carnival Arts Committee, run by Crichlow's younger brother Victor. The investigation came to nothing, but the CAC was replaced by the Carnival Enterprise Committee, a comparatively police-friendly group which does not include Victor Crichlow.

The Mangrove, which had become the local meeting place for young black people, was clearly a police target: officers searched customers outside the door and raided the premises, armed with sledgehammers and dressed in crash helmets and riot gear. In 1988, after two huge police raids, Frank Crichlow was again charged – this time with supplying heroin. In court the following year, despite the testimony of 36 police officers, Crichlow, who insisted he had been framed, was again acquitted. Last October

he won £50,005 damages from the police for false imprisonment, battery and malicious prosecution. Mangrove 3, Police 0.

Paul Condon's police career has gone from strength to strength. In 1989 he became Chief Constable of Kent, where he talked about "core objectives" and "local initiatives" and "clean brooms" sweeping back "dead wood". Two weeks ago he took over as the new Commissioner of the Metropolitan Police. At 45, he is the youngest man to be appointed to the post this century. Though he is reported to be saddened to hear of reservations about his appointment expressed by members of the West Indian community in west London, the capital can, doubtless, look forward to his streamlined, hungry approach to policing.

Frank Crichlow has done less well. The

Press Association



award of compensatory damages came too late to save the Mangrove. After his arrest in 1988, he spent six weeks on remand in Wormwood Scrubs, and then, unusually, was set bail conditions that banned him from living with his family or from going within 500 yards of the restaurant. The Mangrove, which had always been a financially precarious operation, floundered. In February 1991, the property was auctioned by Kensington and Chelsea Council, which was owed £76,000 as a result of a GLC loan to the restaurant. It was bought by Simon Rose and Peter Cross, a pair of young, white entrepreneurs who set up the Portobello Dining Rooms, with reinforced glass windows and a menu which included *moules marinières*. In a newspaper interview, Rose predicted that All Saints Road would become "the new King's Road".

The Portobello Dining Rooms have since closed and the site has been refurbished for a new owner. Elsewhere on the street gentrification – smart upholsterers, hairdressers, boutiques – continues apace. Extra street lighting has been installed and the corner doorways, once convenient pockets

of darkness, have been cordoned off with ornamental metal gates. A few outposts of the tatter, happier, old All Saints Road remain: a café, a record shop, a Rastafarian shop, and the headquarters of the Mangrove Community Association, an offshoot of the restaurant's community activities, run by Crichlow's friends Jebb Johnson and Lee Jasper. Until recently there was a banner hanging from the front of the association that proclaimed MANGROVE... 21 YEARS OF RESISTANCE. Now, even that has gone.

Crichlow has spent some of the damages he won from the police on a holiday, and on repaying loans. Some has gone into an extension at the back of his house. The walls were subsiding and the roof needed work, so he also got a grant from the council and money from insurance. Conveniently, his neighbour is currently abroad, so Crichlow and his partner, Lucy Addington, their four children, the goldfish and the mysterious rodent have moved next door. Some day Crichlow's house will look truly magnificent – a chandelier is in place and big wooden interconnecting doors are soon to be installed. But at present the garden is full of building detritus and on the front door there is a forbidding notice from the deinfestation people who, in Operation Trident style, claim to have flushed out every lurking undesirable.

Frank Crichlow has now lived in England for 40 years and is, in many ways, thoroughly Anglicised. His partner is from Wiltshire. His day is measured out in cups of tea and instant coffee. His hand gestures and love of anecdote may not be very English, but he is much given to euphemism and understatement. He has even acquired the English fastidiousness over talking about background. "I know there are classes. But I don't fit in... especially with the middle class. I prefer somebody else to work that out... Sugar?"

Crichlow's father worked for a printing business in Trinidad. The family, despite ten children, was upwardly mobile, and Crichlow senior rose to become manager of the government print works in Port of Spain. Crichlow junior, meanwhile, also showed leadership qualities and became captain of the school football and cricket teams. At 16, young Frank went to work at a smart department store, where he also became captain of the cricket team.

At 20 he took the boat to Britain, and embraced London with its belching chimneys, its bedsits and its Teddy boys. He got a job as a maintenance man at New Cross station, and started playing drums in bands. Eventually he formed his own group, the Starlight Four, which played Anglicised calypso music at clubs and embassies, and

Party time: the crowd outside the Mangrove during the 1983 Notting Hill Carnival



at Oxford and Cambridge college balls.

In 1957 he became manager of the Trinidad club, near Paddington station. Two years later he opened his own café, El Rio, in Westbourne Park Road, in the aftermath of the race riots in Notting Hill, at a time when West Indians did not frequent pubs and had few places to go. El Rio was decorated with fishing nets and paintings and served espresso coffee.

Frank remembers: "We got popular overnight. Out of the Rio came early stages of the Carnival. It was where people could come and discuss and discuss and discuss... Colin MacInnes was a regular. He used to bring big journalists and big people. He would tell them, 'I am going to take you to the centre of the world...' Christine Keeler. I knew her well. A little girl. She was happy, gay, wild... ready to capture the world..."

In 1968 Crichlow opened the Mangrove, a smart establishment with black Formica tables, black leatherette seats, candles, flowers, an antique chandelier, walls of sand-blasted plywood (then all the rage) and a new kitchen that dazzled the health inspectorate. The Mangrove was instantly popular. People were soon queueing in cars outside. Colin MacInnes and his friends transferred their favours upmarket with him. Some of the people who lived nearby in the big houses in Holland Park also came. Visitors to the Mangrove remember Frank as enormously warm and hospitable. Even today he claps his hands with excitement when he describes the food he served. "Curried chicken and rice and beans. Think of it!" (clap clap) "Nine and six!" (clap, clap).

Then came the raids. Six in the first year, usually on a Friday night when the restaurant was busiest. Custom began to fall off and Crichlow and a group of friends decided to march on Notting Hill police station. It was an angry demonstration – someone carried a pig's head on a stick – which led to Crichlow's arrest and his first major trial, as one of the "Mangrove Nine".

In the early Seventies the lease on the Mangrove came to an end and a group of local middle-class well-wishers who saw the need for a meeting place for young black people set up a trust to lend Crichlow money for a mortgage. By now the Mangrove was more of a café and talking shop. The chandelier was still there, but the floor had been cleared to make way for pool tables, and the leatherette seats were showing signs of wear.

Crichlow remembers, "I spent the whole of the Seventies on bail. If anyone got stopped in the road, I would be standing there asking, 'Officer, what are you doing?' And they would tell me to eff off,

and I'd say no, and they'd arrest me."

By the Eighties the drug-dealing in All Saints Road had become notorious, and the Mangrove, as a focal point for the street, cannot have been entirely free from the influences of the trade. It is unclear how much Crichlow knew about the dealing; he has always publicly expressed his opposition to hard drugs. But his statement, "I'm still green to drugs. I don't know which is strong and which is weak," seems disingenuous.

When it has come to clashes between West Indians and the police, Frank Crichlow's loyalties have nearly always been with his own people. There are leading members of the black community in Notting Hill who feel that, because Crichlow tended to take a combative line with the authorities, the Mangrove provided a protection of sorts for drug dealers. But, considering the intrusive style of policing in the area and the treatment he has received from the forces of law and order, his attitude seems entirely understandable.

Take the May 1988 raid on the Mangrove, an event which involved more than 150 police officers and eight riot buses, and which Crichlow describes with humour and theatricality. When he recounts how the police forced him to lie on the ground for 20 minutes, Crichlow, by way of explanation, gets down on to the living room carpet and lies on his stomach. When he says the police handcuffed him, he puts his hands behind his back. To demonstrate how they stuffed his pockets with drugs, he jams his hands into the front of his corduroys. He explains how he wriggled and how they sat



The morning after: Frank Crichlow (left) and two members of his staff after a police raid on the Mangrove during the 1976 carnival

on his back. Then he shows how they tried to put his fingerprints on the packages of heroin, and he clenches his wrists shut as he did at the time. "I closed my hands. And I tell you they would have had to bring a crane to open them."

"When they brought me in there was jubilant celebration in the station. *Carnival!* Shaking hands. We have caught him now, no way he can escape! No way he can get out of this one."

Notting Hill police station is now under the management of Chief Superintendent David Gilbertson, a new-school policeman, well ironed and at ease. He chats about Notting Hill's rich cultural diversity and interesting local history. When asked about Frank Crichlow, he looked up, raised his eyebrows politely and said he personally had had no dealings with the Crichlow brothers. They were before his time.

Gilbertson has been trying to take a "multi-agency approach" to the drug problem in Notting Hill; on his coffee table are reports with titles such as "City Challenge" and "Partnership is the Key".

All Saints Road was, he said, a "symbolic location" with an enormous potential for flashpoints. There used to be an entire unit – one inspector, five sergeants, 20 police constables – devoted to policing the street. But Gilbertson has disbanded the unit and

is using a high-tech, low-profile approach, trying to stop the drug trade by bringing prosecutions which rely on video evidence rather than the word of the police.

Last summer the Notting Hill police set up an undercover operation in All Saints Road, with plain-clothes policemen secretly filming from a flat above what was once the Mangrove. Drug buyers were followed and arrested when they were some distance from the road and then, several weeks and many video cassettes later, 17 alleged dealers were arrested in one fell swoop. Most of the arrests were early-morning raids on homes – to cause minimum disruption on the street. Gilbertson finished off the operation with a leaflet drop on All Saints Road, explaining what had happened.

Some of the same sort of language that Gilbertson uses – “working with the professionals”, “new era in relations”, “nothing succeeds like success” – issues from the mouth of Jebb Johnson, at the small office of the Mangrove Community Association on All Saints Road. Johnson's tone, however, is more guarded, defiant. Of Gilbertson he says, “It seems we could do business with him.” Pause, rethinks. “Not that we want to have too much business with him.”

The Mangrove Trust, an independent charity, has been responsible for helping set

up a hostel for young black offenders and for overseeing the Abbeyfield Mangrove, an old people's home and day centre for West Indians, situated further down the road. People drop in for tea at the office, and there is much talk about training young West Indians to market their own culture, or move into music business management. Johnson says, “Mangrove has never been about a building. Our view is that we are moving into a new era.”

When I ask about Crichlow, he replies, “We see Frank as the elder statesman.”

On All Saints Road there are still occasional skirmishes with the police. There was a sticky incident recently when a Rastafarian barked at a police dog. Its handler didn't take the joke kindly, and arrested Jebb Johnson when he tried to intervene.

But usually the street is quiet, if not positively somnolent. The drug sellers have dispersed, a number into the labyrinthine Mozart Estate, a mile or so away, and the heat of police investigation is now on the Moroccan community in nearby Golborne Road.

Crichlow doesn't have a key to the Mangrove offices, so we arranged to meet at the new café next door. He arrived

late, and was miserable and monosyllabic.

“I could have had one of the best restaurants,” he said eventually. “I see myself in that role. I still get a buzz when I think about it. Seating, say, about a hundred people. I could create atmosphere. I like talking to people. I like going round to people and things. I love that.”

But things have changed. Condon is now an invisible *éminence grise*, video cameras have taken the place of bobbies on the beat, and the black community has dispersed. If Crichlow opened a restaurant now, he would feel he was fighting thin air.

He looked with disgust at the symbols of gentrification on All Saints Road – the new signs, the metal gateways, the quaint street lights. Number 8, ex-Mangrove and now ex-Portobello Dining Rooms, was being done up with strangely patterned linoleum and what looked like bicycle seats round the bar. I beckoned to Crichlow, but it was drizzling and he wasn't interested.

“It will give me bad memories. Bad experiences in the past. I still see myself doing it. I would like to help someone – not telling them what to do. I want to be part of it. That is the thing. You know, creating an atmosphere. But the police have won. A lot of damage has been done. They have closed the Mangrove.” ●

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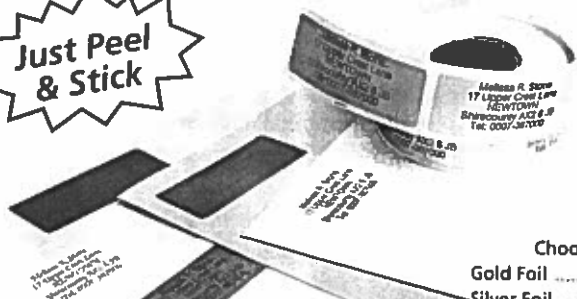
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James Blake and his wife Bettie outside the High Court yesterday. He said he would pursue a civil action against the police

PHOTOGRAPHS: JOANNA NATHAN-AYRES

Two freed over tainted evidence

Duncan Campbell
Crime Correspondent

TWO men jailed for manslaughter as a result of the evidence of a dishonest policeman won their appeals against conviction yesterday. The officer is at the centre of allegations about corruption in a north London police station.

Giving judgment, the Lord Chief Justice, Lord Taylor, expressed the court's deep regret and described the evidence offered as "rotten" and tainted.

James Blake, aged 61, from Sidcup, Kent, and Francis Hart, aged 35, from Erith, Kent, were jailed in February 1990 at the Old Bailey for eight and 10 years respectively for the manslaughter of a recluse, David Berman, aged 64, who was found gagged and tied to a chair in his flat in Hackney, east Lon-

don, in July 1988. Both men had criminal records, which they admitted in court.

Among the evidence against Mr Blake was a coin from the victim's house, which was allegedly found in Mr Blake's home, and a piece of a sheet, with which Mr Berman was tied, allegedly found in a Hackney flat to which Mr Blake had access. A piece of newspaper, which matched a torn newspaper in the victim's flat, was found at the home of Mr Hart.

The other evidence was an alleged admission which Mr Blake denied, and a police informer's statement of an alleged prison cell admission by Mr Hart. Both men claimed they had been framed by the police and that the incriminating evidence had been planted on them.

The Lord Chief Justice, sitting with Mr Justice Judge and Mr Justice Hidden, heard that

Detective Constable Roy Lewandowski, the exhibits officer in the case, who supposedly found the items implicating the men, was convicted last November of stealing property from Mr Berman's home and jailed for 18 months. They also heard that the forensic scientist in the case had expressed concern at the remarkable coincidences of the perfectly matching items of evidence. The Crown did not resist the appeal.

Lord Taylor said that, while there was no criticism of the forensic scientist in the case, concerns about evidence should be communicated to the prosecuting authorities before a trial took place.

After the hearing, Mr Blake, registered disabled, who is half-Belgian and half-Yugoslav, said he would be pursuing a civil action for damages.

His solicitor, Nigel Murray, said they had only learned of Mr



Francis Hart: 'Officer should face charges for what he did'

Lewandowski's arrest through newspaper reports. The Crown had then revealed to them that the forensic scientist on the case had expressed concern at the coincidences of evidence.

Mr Hart, originally from Glasgow, who absconded during his sentence, said: "I do not blame all police for what hap-

pened. But I do blame Lewandowski. He should be facing charges for what he did." He had escaped after Mr Lewandowski had been arrested and granted bail but his own bail application had been rejected.

Mr Lewandowski is at the centre of the Operation Jackpot inquiry into alleged corruption at Stoke Newington police station in north London, details of which were first published in the Guardian. Three other officers have been suspended in connection with other matters and a report is with the Director of Public Prosecutions. Mr Lewandowski was referred to as Officer X in a crack dealing trial at Snaresbrook crown court, east London, last year.

A number of drugs cases involving Stoke Newington police officers have been abandoned by the Crown Prosecution Services because of doubts about the honesty of the officers. A large number of appeals by people jailed for drug dealing in cases involving Mr Lewandowski are due to be heard at the Court of Appeal.

GUARDIAN

16.2.93

Officer X identity revealed

Denis Campbell on the disgraced former DC at the centre of a police scandal.



The identity of Officer X — the 'corrupt' police officer accused of making up to £2,000 a week from supplying crack cocaine to a big time dealer in Stoke Newington — can finally be revealed.

Time Out can disclose that he is Detective Constable Roy Lewandowski, who is already serving an 18 month prison sentence for stealing £3,000 worth of valuables from a murder victim whose killing he helped investigate.

The media have been banned since last July from naming Lewandowski as the policeman, referred to only as Officer X, who was accused in court during crack dealer Pearl Cameron's trial of receiving £1,000-£2,000 a week from her. That claim, which Judge Grigson apparently accepted, seemed to support persistent claims that some officers from Stoke Newington station had profited from fuelling the crack trade in one of London's most drug-ridden areas.

Cameron was given a lenient five year jail term at Snaresbrook Crown Court when Judge Grigson said that 'your involvement in dealing stemmed from the advances of a corrupt police officer'. That 'corrupt' officer was DC Lewandowski.



Unmasked at last: Officer X — former Stoke Newington DC Roy Lewandowski.

dowski. He was kicked out of the Metropolitan Police last November when he was found guilty of the theft charges.

Cameron also received a light sentence because of the cooperation she gave Operation Jackpot, Scotland Yard's 22 month internal inquiry into allegations of corruption at Stoke Newington.

Counsel in the Cameron case agreed to refer to Lewandowski, a 31-year-old Liverpool, merely as Officer X because he was due to face two sets of criminal charges: the theft charges and, later, a

separate charge of involvement in a £5 million VAT fraud.

Last week, however, the VAT fraud charge against Lewandowski was suddenly withdrawn in controversial circumstances, six weeks into an old-style committal with 14 other defendants.

Rodney McKinnon, counsel for Customs & Excise, told City of London Magistrates Court there was 'insufficient evidence' to continue with the charge. It had been brought after the DC was implicated in a racket to defraud Customs & Excise involving illegal gaming machines in cafés around north London.

However, suspicions persist that Lewandowski, his mind concentrated by the prospect of further years in jail for drugs offences, did a deal with Operation Jackpot — to name officers involved in drug dealing in return for immunity from prosecution or a light sentence.

Operation Jackpot's initial report into the corruption at Stoke Newington named three officers as having profited from drug dealing. But detectives were facing difficulties getting hard evidence against at least two other former Stoke Newington officers, one now a Detective Inspector at another station believed to have 'taught Lewandowski his tricks'. If rumours of a deal are correct, those officers could now face charges.

One Stoke Newington officer told *Time Out*: 'The reality is that we need Lewandowski to tell his story so we can get to the bottom of this. If that means a deal is done, I'd have no problem with that.'

The local police watchdog group HICDA said: 'The sudden collapse of this case will not allay community fears about police crime. The Home Secretary should announce a judicial inquiry into Stoke Newington police without delay.'

Meanwhile, James Blake and Francis Hart, jailed for eight years for the manslaughter of David Berman — the recluse from whom Lewandowski stole the valuables — had their convictions quashed after just 45 minutes at the Court of Appeal on Monday. Lord Taylor, the Lord Chief Justice, said the evidence given by Lewandowski, the exhibits officer on the Berman murder, against the pair was 'tainted'.

TIME OUT

17.2.93

FREE AFTER FOUR YEARS

Manslaughter convictions quashed - corrupt cop planted evidence

TWO men jailed for a killing they had nothing to do with were freed this week after an appeal court heard they were "framed" by a "bent" cop at the centre of corruption allegations at Stoke Newington police station.

It can now be revealed that Det Con Roy Lewandowski, 31, is the officer referred to in a recent drugs trial, who was accused of receiving between £1,000 and £2,000 a week from big-time Dalston crack dealer Paul Carracina.

The former detective was jailed for 18 months in November for stealing £5,000 worth of property during the investigation into the murder of David Herman, who was found bludgeoned, gagged and tied to his chair in his Leamington Road flat in 1986.

Since July the media have been hounded for legal reasons from revealing the identity of officer X until Lewandowski stood trial on these charges and a £5 million VAT fraud from which he was discharged two weeks ago.

Lewandowski, 31, was removed from the murder team's list and planting it in their hands.

They have spent the last part of the last four years in jail after they were convicted in the Old Bailey of the manslaughter of Mr Herman, 40, an economic adviser.

Criminal records

Although both Mr Blake and Mr Hart had criminal records for burglary and robbery, which they admitted in court, they had no history of violence and denied all along they had anything to do with the crime - maintaining throughout they had been "hooded".

Mr Hart from Enniskerry, Co. Wick, was jailed for 10 years and Mr Blake, from Sligo, Co. Lond., was given a discount because of his falling heart and received eight years.

They were also convicted of burglary and received concurrent terms of three years.

Quashing their convictions at the Court of Criminal Appeal that week, Lord Chief Justice Taylor, expressed deep regret and admitted the evidence offered was "weak" and "unsatisfactory".

The court found that Lewandowski, the sub-

by RUSS LAWRENCE

his officers in the murder investigation, had planted a coin from the victim's home in Mr Herman's flat. The coin was found in the victim's room, which was found in the victim's room, which was found in the victim's room.

Lewandowski is one of nine officers from Stoke Newington who have been suspended at the end of the Operation Judex investigation into alleged corruption at the police station.

No plans for new murder probe

STOKE Newington police won't be re-opening the Herman murder inquiry after the Appeal Court's decision to quash the convictions of the two men jailed for his manslaughter.

"There are no plans to re-open the investigation," said Sgt Doug Watt, "It will only be reopened if new evidence comes to light."

Meanwhile, Broad James Blake, who is registered disabled after suffering a heart attack, said he was "relieved" after the court's decision.

STOKE Newington police won't be re-opening the Herman murder inquiry after the Appeal Court's decision to quash the convictions of the two men jailed for his manslaughter.

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Award for Hoxton home beat officer

Eddie's steady service earns a medal

A POPULAR cop has received a long service and good conduct medal from recently retired Metropolitan Police chief Sir Peter Isbister.

Pt Eddie Thomas, 48, was the permanent home beat officer for Hoxton from 1973 until last year when he took up a temporary position as a training officer at Hoxton police station.

He was based at City Road police station from 1970 to 1973.

Pt Thomas, who is married with two daughters, said he was "buffed" to get the award, only given to officers who have served for 22 years with a good conduct record.

"Having spent 22 years in Hoxton, I don't think I would want to have worked anywhere else," he said. "I've made some genuinely good friends over the years. The reason I

didn't move on is all that time was that I was enjoying myself too much."

He thinks the biggest change in the area has been increased deprivation.

"The youngsters are spending more and more time on the streets because there's nothing to do," he said. "There needs to be a real big push to do something for the under-25s."

He is hoping to become a justice of the peace when he retires.

"I wouldn't mind coming back to teach in Hoxton," he said. "I love the people and the place."



© Pt Eddie Thomas.

Mental hospital crime wave

STAFF at the "insane" Hackney Mental Hospital, want cops on the site around the clock to cut down on crime, drug-dealing and violent attacks.

Hackney men have had reports that doctors are putting drugs on the ward and they have stepped up jumps through the railings and grounds.

Worried staff, patients and visitors delivered a 220-signature petition demanding greater safety to government ministers.

London's largest mental hospital, which opened in 1961, has 200 beds and is the largest of its kind in the world.

One of them was dropped in the lavatory and a convicted rapist escaped and raped a woman in the street.

Now there will be a two-year trial before a group of 11.4 million scheme moves them into Hoxton.

Last November a woman patient said she was

Calls for 24-hour police patrols

by MARK GOULD

words - especially the drug-dealers, which is open to patients and on patients.

In 1991 two women were raped while on the ward. One of them was dropped in the lavatory and a convicted rapist escaped and raped a woman in the street.

Now there will be a two-year trial before a group of 11.4 million scheme moves them into Hoxton.

and, hopefully, best."

Last week the Gazette found the hospital with its own Richardson, from the patients' watchdog City and Hackney Community Health Council.

The front security drive to the secure unit and to wait for the elderly ward. We were not challenged by security guards during the first three or four days to be there at 10.30pm.

John Richardson said "Women feel particularly at risk, and there are a very small number of sexual assaults and incidents that people do not report."

"The situation is not helped by officials who are trying to play it down. But the truth has to be said."

New evidence conflicts with police call murder trial verdict, appeal is told

RESTAURATEUR Malcolm Kennedy's conviction for the murder of another man in a police station cell should be quashed, the Court of Criminal Appeal was told last week.

Uprooting the appeal to say by making a speaking of conviction, Mr Michael Mansfield, QC, told the court on Friday that new evidence was "fundamental to the case" and that the conviction was "unsafe".

Kennedy, 44, of Church Walk, Stoke Newington, was sentenced to life imprisonment in September, 1991, for murdering Patrick Quinn, 25, in the early hours of Christmas Eve, 1990, in the cell they were sharing at Hammersmith police station.

They had been arrested in separate incidents and both were given life sentences.

The Kennedy claim was that the cell they were in was not the cell they were in at the time of the murder. The court was told that Kennedy had been in the cell for some time before the murder.

Mr Mansfield said that if the evidence was "fundamentally" undermined, "However, it did not prove who was the real killer, added Mr Mansfield."

'Someone's not telling the truth'

Mr Mansfield said that if the evidence was "fundamentally" undermined, "However, it did not prove who was the real killer, added Mr Mansfield."

Giving evidence, Sgt Blackby declared over the murder of Quinn, "Someone is not telling the truth," said Mr Mansfield.

Earlier in the hearing, two new witnesses, Samantha Wilson and Sarah Trevelyan, said

they were taken to the police station by Mr Walsh and Mr Paul O'Brien after a domestic incident at a nearby house.

But Mr O'Brien said Kennedy's trial that he had arrested Mr Quinn earlier than night and had stayed at the police station overnight to deal with the prisoner and write his report.

"Was he answering for officers involved in Quinn's arrest?" asked Mr Mansfield. "We may be doing this to

come something unprovoked and happened."

Mr O'Brien said the Appeal Court that he had "nothing to do" with Mr Quinn's murder, but he admitted that he had a history of violence and had been involved in several incidents.

The appeal, before Mr Justice Taylor, the Lord Chief Justice, Mr Justice Lindley and Mr Justice Bristow.

HC
19.2.93

Drug probe police are warned of revenge bid

By CHESTER STERN
Crime Correspondent

POLICEMEN involved in Scotland Yard's most wide-ranging corruption inquiry in 20 years have been advised on protecting themselves after two officers at the centre of the case were stabbed.

Senior officers at Stoke Newington police station in North London, where a drugs scandal involving 25 policemen broke last year, are concerned that a sinister plot may be putting their men's lives at risk.

Last week, PO Terence Ohitty was attacked by two men, who called his name as he approached a cash machine in Wanstead, East London. He was slashed on the ear and cheek, and had his jacket cut.

Wounds

In November, PO Ronald Palumbo, one of the officers transferred and later suspended, was attacked by three men as he walked near his home in Chingford, Essex. He suffered knife wounds to his face, hands and body.

Both attacks took place away from the area where the two men were stationed. Senior officers fear a leak from within the police service to criminals.

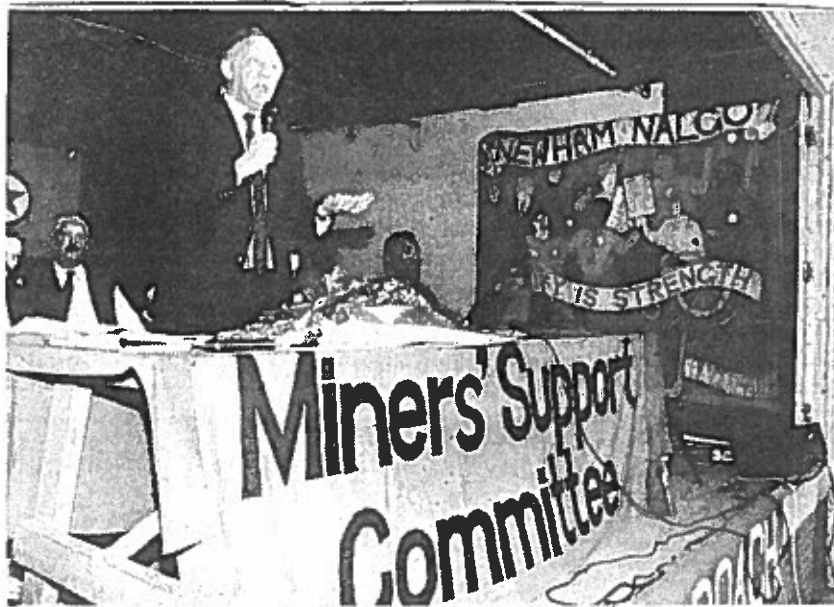
Eight officers were moved from Stoke Newington a year ago after allegations that policemen were selling drugs seized on the streets, fabricating evidence and beating up suspects.

Scotland Yard's complaints investigation bureau is conducting the probe.

One officer has been charged with serious offences and another, who worked with many of the men under suspicion, has committed suicide.

MAIL ON SUNDAY

21.2.95



■RENNIE KINGSLEY [right], representing the Colin Roache Centre in Hackney, east London, expressed his solidarity with the miners and other oppressed representatives of Britain's working class last week when he presented a bouquet to National Union of Miners President ARTHUR SCARGILL at the Halkevi Community Centre in Stoke Newington, north London. The meeting sought to address the national opposition of working class people of all backgrounds to the draconian policies of the Tory Party. The assembly also heard from representatives of the Burnsall women who have been locked out of the Birmingham factory for demanding pay parity with their male colleagues and Kurdish people from Turkey staging a hunger strike to protest the British government's intransigence at refusing asylum to impoverished people attempting to escape atrocities taking place in Iraq. Also in attendance were workers from Bartholomews hospital, transport and postal workers, teachers, students and many concerned people from the working class movement in Britain

Photo by ZAHID ALI / HANSIB

CARIBBEAN TIMES

23.2.93



Let Con Steve Reeve, with just a small selection of the drugs haul.

Nightclub raid nets police big drugs haul

A HUGE drugs haul seized by police after a raid on a Dalston nightclub was put on show this week.

Drugs squad officers at Stoke Newington admit even they were surprised at the amount and variety of drugs found in the raid on the Four Aces nightclub.

The drugs seized are still undergoing scientific analysis, but include quantities of crack, heroin, LSD, Ecstasy, amphetamines and cannabis - with a total street value of thousands of pounds.

Crowded

More than 50 officers swooped on the crowded club in Dalston Lane in the early hours of Saturday following surveillance by undercover cops on drug dealers inside the club.

Police charged 15 people with offences ranging from possession and dealing to obstruction after questioning and searching all 560 nightclub revellers.

"The drugs put on show are just those which were found on the floor after dealers tried to get rid of the evidence as police raided the club,"

by RUSS LAWRENCE

said Chief Insp David Hudson. "It doesn't include drugs found on people or elsewhere in the premises."

"The raid is another success for Stoke Newington police in our on-going fight against drug dealers and pushers, and shows our determination to stamp out the problem."

Police last raided the Four Aces nightclub in 1988 when they seized drugs and arrested several people for dealing.

Police's 'bad apple' excuse is wearing thin

I WAS horrified to read in last week's Gazette the revelations concerning bent policeman Roy Lewandowski and I'm telling Scotland Yard that if they expect to maintain the confidence of the general public in Hackney, they are going to have to do something to stop the rot that is beginning to pervade this borough.

If there is any group that police should expect support from it is the elder generation who can attach wisdom in their assessment of situations. Hackney's population is starting to look over their shoulders because the "bad apple" excuse of the police is wearing very thin indeed.

A kind of culture is being allowed to flourish and it is leading policemen to believe they can get away with the most appalling acts of corruption, not only against the public, but eventually the police service itself.

The police will say of a criminal: "It's to be expected - look at the family he comes from". Well, the public can say exactly the same about the police. It is absolutely impossible to be corrupt and for others not to know about it, and for every bent policeman there are another half-dozen supporting him. An officer who "looks the other way" when an act of corruption is being carried out, is as corrupt as the officer doing it.

Scotland Yard owe it to us and the decent policemen of Hackney to get down here and read the riot act. If a policeman can get a person convicted in a case where someone has been murdered, what else are they capable of doing? It should not be forgotten that had there still been a death penalty, two innocent men could have gone to the gallows and innocent little children could be fatherless. - TOM BENFIELD, WARNEFORD STREET, HACKNEY.

Police raid puts paid to party

POLICE mounted a dawn swoop to shut down an illegal rave party in a private dwelling.

Officers from Stoke Newington police station stood by in case trouble flared as up to 250 revellers were told to leave the party, which was about to start at 5.30am on Monday morning.

A passing policeman was alerted after hundreds of party-goers began arriving in cars outside the premises in High Hill Ferry, Upper Clapton.

"The property is owned by a housing association and the occupier was charging £10 entrance fee," said Det Sgt Tony Steel. "He was seen and ordered to shut down the party and warned legal action could follow."

Appeal court orders police cell murder retrial

THE man convicted of murdering a cellmate in a police station three years ago has been given a second chance to clear his name.

Malcolm Kennedy, formerly of Church Walk, Stoke Newington, claims he was framed by officers at Hammersmith police station.

The 44-year-old restaurateur was found guilty at the Old Bailey in September, 1991, of stamping 53-year-old Patrick Quinn to death in the early hours of Christmas

Day, 1990, and sentenced to life imprisonment. The two men had been arrested for separate drunk and disorderly incidents. They did not know each other.

But last Friday the Court of Criminal Appeal ordered a retrial because the jury's verdict was "not safe and satisfactory" in the light of fresh evidence. The court rejected an application for Kennedy's conviction to be quashed.

"We consider that the whole of the evidence, including the further material we've received, merits the consideration of a fresh jury," said Mr Justice Taylor in judgement.

The evidence, if correct, effectively reverses events on the night of the murder hour forward of the police version - which, according to Mr Michael Miffeld, QC, counsel for Kennedy, was to support the defence case at the trial that some police officers were lying. But Mr Timothy Langdale, QC for the crown, said that claims that the fresh evidence made the conviction unsafe did not balance existing "compelling" evi-

dence heard by the jury implicating Kennedy.

Mr Justice Taylor, who was sitting with Mr Justice Judge and Mr Justice Hidden, stressed that the retrial decision did not necessarily support Kennedy's claim that police murdered Mr Quinn.

"It would be quite wrong for this court to indicate a view one way or the other," he said. "That is the function of a jury."

The judge said that Kennedy must be arraigned on a fresh indictment within two months.

His request for bail was rejected, but he was granted legal aid under the same terms as his first trial.

Woman terrified as police are led to wrong house

ARMED cops on a murder hunt raided the wrong address and subjected a woman to nearly three hours of terror, according to the innocent victim.

The front door of Fiona Gaffney's home in Roding Road, Lower Clapton, was smashed down at 4pm on a Sunday afternoon - and she was confronted by armed men.

A man who had been charged with murder had told West Ham police he wanted to phone a woman friend, but mistakenly gave Ms Gaffney's number instead of a very similar one.

"I screamed and then must have gone into a state of shock as my knees buckled and I

shook and sobbed. I thought I was going to be attacked by a gang of criminals," she said in a statement of complaint to the Metropolitan Police.

Terrified, she had to be helped to a police van, where she was shown a warrant permitting a search for guns and ammunition.

The search drew a blank and a second search was carried out for drugs, alleged Mr Gaffney, a council education worker.

She added that her bed was left overturned and a desk and floorboards were broken in the hallway - and the later received four phone calls from cops asking for the same woman

suspect, despite the fact that police promised she would not be bothered again.

Ms Gaffney's has had to have time off sick since the raid on January 24. Her doctor says she is suffering from post-traumatic stress disorder.

Ms Gaffney is angry that police didn't check they were raiding the right house. Her complaint is being taken up by Hackney Law Centre, who are also investigating a case for assault, false imprisonment and negligence.

Scotland Yard said they had received the complaint, but could not comment on individual cases.

Cops save man stabbed at card table

A SUSPECTED gambler stabbed in a row over a card game was saved by cops from bleeding to death after he collapsed outside Stoke Newington police station.

The 31-year-old victim staggered out of premises near the police station with blood pouring from a knife wound to his groin and slumped unconscious

over the bonnet of a car. Detectives believe he was stabbed in an unlicensed gambling den at the rear of a shop in Stoke Newington Road on Sunday afternoon.

The knife severed a major artery and he would have bled to death without the speedy action of police officers, who gave him first aid before an ambulance arrived.

He was recovering in the intensive care unit of Homerton Hospital this week after undergoing surgery.

"Quick-thinking officers stemmed the flow of blood with a tourniquet," said Det Sgt Tony Steel. "He also suffered injuries to a testicle in the knife attack."

HQ 26.2.93

Community Defence

HACKNEY COMMUNITY DEFENCE ASSOCIATION BULLETIN

CLAMP DOWN



**ON
POLICE
CRIME**

SPECIAL ISSUE

CORRUPT COPS STAY ON PATROL

Police lies exposed in Court of Appeal

FOUR people jailed for possessing drugs planted on them by Stoke Newington police had their convictions quashed earlier this month.

The Appeal Court ruling is a breakthrough in the campaign to halt police crime, and a blow for Stoke Newington's senior officers who wish to whitewash corruption.

But it is not justice.

Although eight police officers have been transferred and six suspended, not a single officer has stood trial for framing innocent people. And many of their victims still languish in jail while the legal system blocks or delays appeals.

Only Detective Constable Roy Lewandowski is serving an 18-month jail sentence for theft from a manslaughter victim's house.

Unpunished

But he remains unpunished for his part in drug dealing and falsifying evidence. And, more alarmingly, so do his crooked colleagues – who continue to walk free, often patrolling local streets.

A Hackney Community Defence Association inquiry, launched last year and based on extensive interviews with those

Investigation

framed by police, has exposed a core of 13 offending officers, and suggests up to 30 others may be involved.

Meanwhile, Scotland Yard's corruption probe, Operation Jackpot, continues at a sluggish pace. Although it is investigating drug dealing, theft and conspiracy to pervert the course of justice, it is a police complaints and not a criminal investigation, working behind close doors. Its findings may never be made public.

Whatever Operation Jackpot decides, the catalogue of quashed prosecutions, acquittals and dropped charges shows Stoke Newington police are already discredited.

Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everal Brown were cleared of drug charges on 2 March after



VICTORY: Ida Oderinde, Rennie Kingsley and Dennis Tulloch outside the Appeal Court after their convictions were quashed

prosecution barrister Kenneth Aylett admitted: "There are police officers upon whom suspicion has fallen as to their reliability in any evidence they may give in court."

Most of those facing trumped-up charges are black, including the four cleared this month. Kingsley, who was sentenced to four months after police planted cocaine and LSD in his home, said: "There is a lot of racism in

a system which only takes the word of police officers. The officers who raided me were all white and the people in court were all white."

The four received no apology. Their appeals were adjourned three times before reaching court. Kingsley said: "I am very bitter, angry and disappointed that the system failed us. I just wish all this had taken place earlier."

INSIDE We name thirteen suspect officers

Want to know more?

Discover the full
story in these two
HCDA pamphlets

**"A CRIME IS A CRIME
IS A CRIME"** Report
into police crime in
Hackney, 1989-1991.
Presented to the Royal
Commission on Criminal
Justice in November
1991.

**"FIGHTING THE
LAWMEN"** HCDA's first
report into Stoke
Newington drug squad's
criminal activities.
Includes personal
accounts and describes
how HCDA investigated
the police.

£1 each from HCDA,
Colin Roach Centre, 10A
Bradbury Street, London
N16 7NY.

APPEAL FOR WITNESSES

Outside "Take-Two",
Kingsland High Street
Wednesday 23 December
1992, 5.15pm

*Did you see a young black
woman get assaulted and
manhandled by police
officers?*

If you see anybody being
unjustly treated by the police,
you might be able to act as a
witness for them. If we stand
together and support each
other we can rid our
community of police injustice.
If you have any information,
please contact HCDA on 071
249 0193.



OTHERS PAY

IDA ODERINDE, Dennis Tulloch, Rennie Kingsley and
Everald Brown have had their convictions quashed. But
others framed by the police are still waiting.

In 1990, Hugh Prince was in a Dalston shebeen when it was raided
by police. An officer ordered Prince into an empty, unlit room to be
searched. When he refused, PCs Christopher Hart and James
Havercroft threatened Prince with a sledgehammer and planted eight
rocks of crack cocaine in his cigarette packet.

PC Ronald Palumbo - who
helped frame the four cleared
earlier this month - and DC Barry
Lyons took charge of the case.

*"They took me to my home
and searched it without me
there - I had to wait in the car,"
Prince says. "They didn't find
anything. It was like a big joke to
them. I made a complaint, but
nothing was done about it, and
now I'm a convicted criminal."*

Prince was sentenced to two
months in jail for possession of
crack. He was released in January
1991. He says: "Palumbo and
Lyons didn't give evidence in
court. Although they've been sus-
pended, it's no good to me. I'm
still struggling to clear my name.
Hart and Havercroft are still at
Stoke Newington police station.

*"Although it's three years
since it happened, I live in fear of
it happening again, because
nobody's taking any notice."*

Appeal

Prince's grounds for appeal
have yet to be lodged, but three
more cases are waiting to be
heard by the Appeal Court: those
of Sirus Baptiste and Leroy
Lewis - who were fitted up by
PC Terrence Chitty - and Eula
Carter, whose case was

Officers planted crack on innocent man

adjourned on 2 March.

HCDA does not know how
many others have been framed.
While the police conduct their
secret inquiry, they are condemn-
ing people to stay in jail for
crimes they did not commit.

*HCDA has investigated two
other cases - Danny Bailey
and Winston Thompson. We
are convinced they were plant-
ed with drugs.*

Bailey is serving three-and-a-
half years for intent to supply
crack. He was planted with one
rock by DC Peter Popham in
Sandringham Road in 1991. There
is evidence that Popham commit-
ted perjury while giving testimony.

Thompson was released from
prison last year serving 11 months



Clockwise from top left: Ten

of a two-and-a-half year sentence
for intent to supply crack. He was
planted with five rocks by PC
Palumbo on Sandringham Road in
1991. Grounds for appeal have
been lodged and he is waiting to
hear if his case has been referred
to the Appeal Court.

Many more people have con-
tacted HCDA claiming to have
been fitted up by Stoke

False convictions: what the



Remembering Colin Roach, who died in police custody

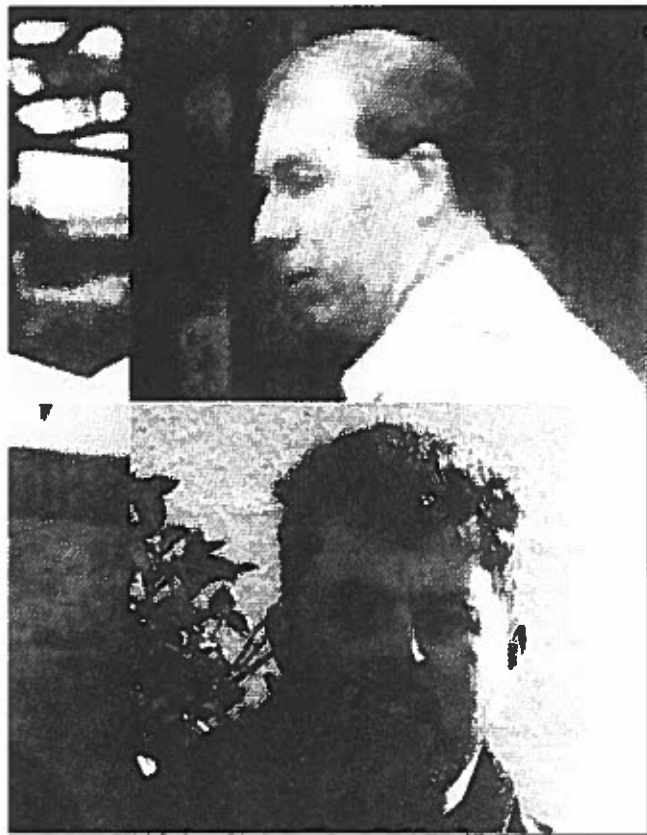
THIS month's appeals against false
drug convictions attracted exten-
sive media coverage.

But while the media focused on
the appeal decision, it ignored the
other people who have been wrong-
ly convicted - despite having been
given detailed briefings by HCDA.

HCDA's role in getting cases to
the Appeal Court was mentioned in
some TV and radio reports but over-
looked in every national newspaper
except *The Guardian*. If the group
had not unrolled its banner outside
the Appeal Court on 2 March, it
would have been shunted aside
altogether.

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FOR POLICE CRIME



PC Chitty, Barry Lyons, Bruce Galbraith, Ronald Palumbo

wington police. Some of these operations, which include robbery cases, involve officers at the centre of the police crime ring. HCDA has not thoroughly examined these cases but leaves them to warrant further investigation. We know of ten such cases, including: Maxine Edwards, who claims she was planted with crack by

DC Bernard Gillan and PC Gerrard Carroll.

● Cecil Forbes, who claims he was planted with crack by PC Chitty.

● Val Howell, who claims she was planted with crack by DC Peter McCulloch.

● Mohamadou Njie, who claims he was fitted up by PC Chitty and DC McCulloch for intent to supply crack.

papers didn't say

Media likes to portray pass-
ions rather than people
back, and overlooks the
t Ida Oderinde, Rennie
and others are centrally
in HCDA. We have moved
being just victims and it's
press caught up.
Media has also ignored
call for an independent
quiry. Instead, journalists
rd like headless chickens
or "media-friendly" sources
Diane Abbott and Liberty.
ever, the police are given
ual platform. The recent
were portrayed as hamper-

ing the efforts of Stoke Newington
Chief Superintendent Niall Mulvihill
and his "incorruptible" officers to
get drugs off the streets of Hackney.

Whenever the media chooses to
report on a subject, it treats it as
an isolated incident, hardly worth
its interest. The media rushes to
respond to "topical" issues and
overlooks the problems we face in
the community.

The media comes and goes and
leaves us to deal with the prob-
lems. Journalists focus on law and
order to the exclusion of all else –
including the unemployment and
poverty that fuel crime.

HCDA uncovers web of corruption

HCDA believes that a core of at
least 13 officers have been at the
centre of police crime in
Hackney.

One is in jail and three are
suspended on full pay. Another,
Sergeant Gerrard Carroll, shot
himself on 29 January 1992 –
the day when eight officers were
transferred. But most of the sus-
pect 13 are still on the beat.

DC Roy Lewandowski is serv-
ing 18 months for stealing from
the house of Hackney
manslaughter victim David
Berman. In February, the two
men convicted of killing Berman
– James Blake and Francis Hart
– had their convictions quashed.
The Lord Chief Justice, Lord
Taylor, said Lewandowski's evi-
dence was "rotten".

Lewandowski's antics
prompted the setting up of
Scotland Yard's corruption
inquiry, Operation Jackpot, in
1991, after jailed crack dealer
Pearl Cameron revealed that
Lewandowski was her supplier.

Accusations

There is a danger that senior
officers will focus accusations on
Lewandowski and a few others
in order to let the rest off the
hook. Yet most of the suspect 13
appear in several HCDA cases.

Even the Crown Prosecution
Service is reluctant to prosecute
drug cases brought by Stoke
Newington police. On 4
January, it dropped five cases
because of doubts about police
evidence. In three of them, PC
Terrence Chitty, one of our 13,
was a key witness.

The extent of police crime sug-
gests senior officers know about
it and either condone it or cannot
control junior officers. HCDA
knows of officers forging each
other's signatures, bypassing the
system controlling the issue of
notebooks, leaving relations with
informers unsupervised, and
flouting complaints procedures.

The Suspect Thirteen

PS Gerrard Carroll
Deceased; involved in six
HCDA cases.

PC Mark Carroll
Transferred; 10 cases.

PC Terrence Chitty
Transferred; 12 cases.

PC Bruce Galbraith
Suspended; five cases.

DC Bernard Gillan
Transferred; six cases.

DC Paul Goscombe
Transferred; five cases;
Lewandowski's partner August
1990.

DC Christopher Hart
No action; 12 cases.

DS Graham Leblond
On long-term sick leave; one
case; Lewandowski's partner
1989 and 1990.

DC Roy Lewandowski
Convicted of theft; four cases.

DC Barry Lyons
Suspended; eight cases.

DC Peter McCulloch
Transferred; seven cases;
Lewandowski's assistant in
Blake and Hart false convic-
tions.

DC Ronald Palumbo
Suspended; 14 cases.

DS Robert Watton
Transferred; four cases.

Police crime in Hackney
requires an independent judicial
inquiry. Drug dealing, theft and
conspiracy to pervert the course
of justice are criminal offences –
whoever commits them. Those
officers who have wrecked peo-
ple's lives and gained from cor-
ruption should be punished as
criminals.

Police lawlessness has set back
the fight against other forms of
crime in a poor working-class
area. A public examination will
be able to propose changes to
improve society's ability to deal
with all crime.

Centre unites local campaigns

THE Colin Roach Centre, set up by Hackney Community Defence Association and the Trade Union Support Unit, opened on 12 January.

The opening marked the tenth anniversary of Colin Roach's fatal shooting in the foyer of Stoke Newington police station.

Roach's father unveiled a plaque, and then more than 350 people joined the fifth annual We Remember march to commemorate those who have suf-

fered or died in police custody. A wreath was laid outside Stoke Newington police station.

Ten years ago, Colin Roach's death prompted a vigorous campaign supported by trade unionists and community groups. The new centre represents the coming together of these two strands of resistance.

HCDA and the Trade Union Support Unit have worked closely for five years. When new premises were needed, they decided to combine resources.

But the centre also aims to reach beyond these groups and develop campaigning organisations to fight all attacks on

working-class people.

The centre has formed an anti-fascist collective and an anti-corruption campaign, and is home to Hackney's Miners Support Committee.

It holds regular discussions, video events, produces the bi-monthly *Hackney Heckler* newsletter, and holds surgeries to advise on issues such as squatting and the council tax.

If you would like to get involved in any of these activities or want to set up a new campaign, contact HCDA on 071 249 0193 or TUSU on 071 249 8086.

Membership of the Colin Roach Centre is £5 a month waged (with reductions for low waged), and £1 a month unwaged.

● The Colin Roach Centre, 10a Bradbury Street, London N16 8JN.

WORKERS FIGHT COUNCIL CORRUPTION

VICTIMISED local council workers last month started a campaign to challenge council corruption.

Hackney Anti-Corruption Campaign plans an in-depth investigation into corruption allegations. It is backed by HCDA and the Trade Union Support Unit, and based at the Colin Roach Centre.

Most Hackney residents know corruption is rampant, but feel powerless to stop it. The Labour and Conservative parties are not fighting corruption - their main interest is in

attacking workers.

Hackney is one of Europe's poorest regions. The black market economy fuels corruption. Textile sweatshops avoid VAT and pay refugees low wages; police officers are involved in organised crime; and a Labour Party mafia, including some councillors, senior council officers and trade union officers, runs a £300 million empire. Meanwhile, the *Hackney Gazette* stifles public debate.

● If you have any information, please contact HACC on 071 249 8086 or 071 249 0193.



Oh no, someone else has joined!

HCDA is a campaigning self-help group for victims of police crime. Associate membership is open to all who support our aim to expose police crime and for the police to be accountable to our community.

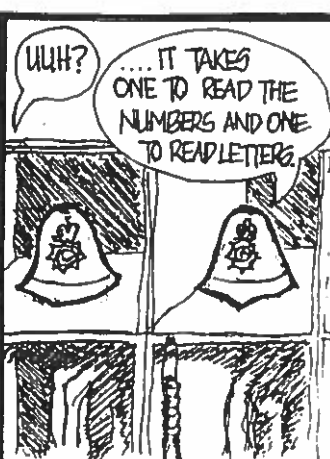
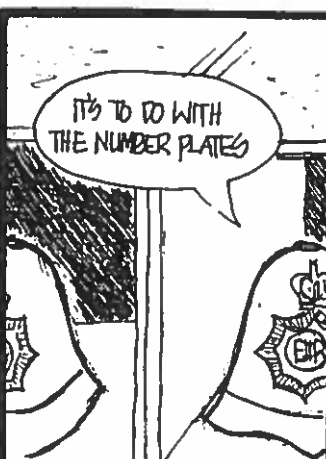
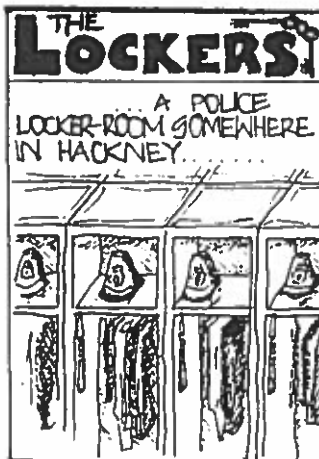
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In the frame . . . Rennie Kingsley, Dennis Tulloch and Ida Oderinde leaving the Appeal Court yesterday. All had their convictions quashed because of "serious doubts" about the police evidence against them
PHOTOGRAPH BY BEAN SMITH

Four cleared of police drug 'fit-ups'

Duncan Campbell
Crime Correspondent

FOUR PEOPLE jailed for possession of drugs which they claimed were planted on them by officers from a north London police station at the centre of a corruption inquiry were cleared on appeal yesterday.

The investigation into allegations of drug dealing, perjury and fabrication of evidence at Stoke Newington police station is continuing.

Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown had their convictions quashed by the Lord Chief Justice, Lord Taylor, after the Crown declined to contest the case. All four claim that officers fabricated evidence against them in four unconnected cases.

The court heard that one officer, former Detective Constable Roy Lewandowski, had been jailed for 18 months last year for stealing property from a manslaughter victim's house. Three other officers had been suspended and others at Stoke Newington had fallen under "grave

suspicion" during the Metropolitan police Operation Jackpot corruption inquiry.

Crown counsel Kenneth Aylett told Lord Taylor, sitting with Mr Justice Blofeld and Mr Justice Henry, that the convictions rested on the evidence of "officers about whom there are serious doubts as to their reliability as witnesses of truth".

Lord Taylor said Mr Brown had been convicted in June 1991 of possession of crack cocaine with intent to supply and jailed for six years. The two officers who were the only witnesses in his case have been suspended, the court heard.

Mr Kingsley was convicted in July 1991 for possession of class A drugs and obstruction and was jailed for four months. He said the drugs had been planted on him.

"Two of the suspended officers and the one convicted officer were the backbone of the case against him," said Lord Taylor, granting the appeal.

Ms Oderinde was jailed for four years for possession of a class A drug with intent to supply in August 1991.

Three of the officers in her case are suspended and/or under investigation and their evidence was not reliable, Lord Taylor said.

Mr Tulloch was jailed for possession of a class A drug with intent to supply and jailed for four years in September 1991. Two officers who gave evidence against him are suspended.

After the case, Ms Oderinde said: "I'm really pleased that justice has been done at long last. I feel there have been a lot of cover-ups at the station."

Mr Kingsley said: "There is a lot of racism in a system which only takes the word of police officers. The officers who raided me were all white and the people in court were all white."

Mr Tulloch said: "I'm really glad it's over and I'm finally vindicated."

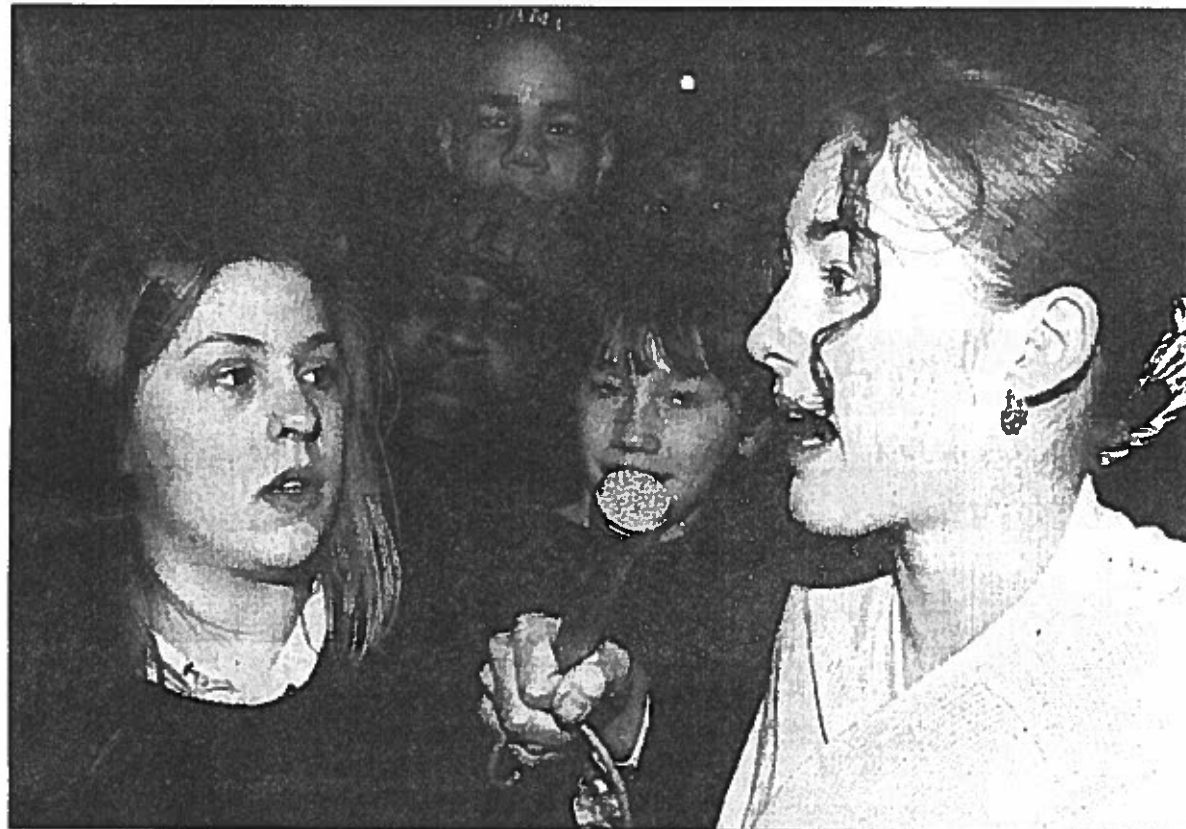
A fifth case, that of Eula Carter, will be heard at a later date.

Graham Smith, of the Hackney Community Defence Association, which has campaigned on behalf of many people arrested by Stoke Newington police in

contested drugs cases, said a judicial inquiry should be held into policing in the whole of Hackney. "As long as the police are allowed to investigate themselves behind closed doors, we will continue to name officers we believe have been or still are involved in crime."

Detective Superintendent Ian Russell, the head of the Operation Jackpot team, said after the hearing that a further report would be sent to the Crown Prosecution Service. The operation was expected to end last summer but was prolonged by a series of fresh allegations.

GUARDIAN
3.3.93



Theresa O'Brien, aged 18, (right) and her 15-year-old sister, Anne Marie, who live next door to the house raided by anti-terrorist police PHOTOGRAPH: JOHN STILLWELL

IRA suspects fire on police in explosives raid

Lawrence Donagan
and John Mullin

TWO MEN were detained under the Prevention of Terrorism Act last night, hours after police released video footage of suspects alleged to have planted a bomb at Harrods in London five weeks ago.

Scotland Yard said anti-terrorist squad detectives, acting on a tip-off, arrested the two men at a terraced house in Stoke Newington, north London. Shots were fired and one of the men received minor injuries as he was detained.

"As a result of the televised appeal, made today, armed police went to an address in Walford Road, Stoke Newington, this afternoon and, after shots had been fired at officers, two men were arrested," a Yard spokeswoman said.

"Police did not return fire. One man suffered a minor head wound during the course of his arrest and was taken to a hospital. He has now been discharged and both men are detained."

Scotland Yard refused to confirm reports that two other suspects had been detained last night by armed officers at a British Rail station in Camden, north London.

It is believed the two men arrested at Stoke Newington were being questioned at Paddington Green police station, west London. A "substantial amount of firearms and explosives" were recovered from the house, Scotland Yard said.

A teenager living next door to the house said she saw a man being dragged out after hearing screams. Theresa O'Brien, aged 18, said she thought one of the men had moved into the upper two-storey flat just before



Police guard the terraced house in Stoke Newington.

Christmas. He lived with what she presumed was his wife and two sons in their mid-teens. "They never spoke to us, apart from once when the man just said hello," she said.

Miss O'Brien and her 15-year-old sister, Anne Marie, heard the screaming at about 1.30pm. "It sounded, as though they were beating him up. I could hear the thump, thump, thump. He just kept screaming without using any words. I went to look out of the window. There were lots of police."

Moments later, police rushed the two sisters out of the house, she said. "We saw a man being dragged along, his whole body on the ground. He was surrounded by police. I saw that his whole face was red."

There were about 15 police men, all armed, pointing their guns at the house while this was going on.

Tommy Murray, aged 24, who works as a mechanic in a gar-

age on the corner of Walford Road, said he saw a black Range Rover and a Ford Sierra arrive quickly and block off the entrance to the road. The officers were casually dressed.

"Suddenly there were two police with guns saying 'get in, get in, get in'. The next minute I walked up towards the house they were surrounding and saw the Old Bill crash through the door," Mr Murray said.

Walford Road was sealed off last night but residents were allowed to return home.

Earlier, detectives released video footage of two IRA suspects apparently joking outside Harrods on the day of the bombing. Scotland Yard admitted that an intensive operation to find the men had failed, so it was appealing for the public's help in identifying them. The Yard has had the film, shot by Harrods' security cameras, since the bombing, which left four people with slight injuries.

Four more bombs have exploded in London since the Harrods attack. Commander David Tucker, head of the anti-terrorist branch, said yesterday he believed the men on the video may have been involved.

It was the third time the IRA had picked on Harrods. It planted a "small" bomb at the store in 1974 and a car bomb just before Christmas 1983 killed six people.

Mr. Tucker conceded that releasing the video was a high risk strategy. "There is the danger that wider publicity gives them the opportunity to escape. But the police needed the public's help."

The video footage was taken from two Harrods cameras on Brompton Road. Police released two clips — one 35 seconds long, the other four seconds. The footage shows the men walking away from the store.

The Harrods bomb was placed on January 28 and three garbled warning calls were made. The high-explosive bomb went off 20 minutes before the store was due to open. The litter bin where it was hidden had been replaced 10 days earlier after being withdrawn for fear of attack.

Nottingham police last night found what they described as a suspicious package in the town, two days after the discovery of a huge hoard of explosives and bomb-making equipment buried on an allotment in Wilford, two miles from the home of Kenneth Clarke, the Home Secretary.

Yesterday three men appeared before magistrates at Arbour Square magistrates' court, London, charged in connection with the Warrington gas works bombing and the shooting of a police officer. Páirc MacPhloinn, aged 39, from the Republic of Ireland, Denis Kinsella, 26, and John Kinsella, 48, both from Nottingham, were remanded in custody until March 25. Mr MacPhloinn and Denis Kinsella are charged with attempted murder, kidnapping and conspiracy to cause explosions. John Kinsella with conspiracy to cause explosions.

GUARDIAN

3.3.95

Four jailed people win appeals as court rules evidence of suspended police at centre of corruption inquiry was unreliable

Drug convictions overturned after 'planting' claims

FOUR PEOPLE who claimed that police planted drugs on them had their convictions quashed by the Court of Appeal yesterday when the Crown said the evidence of officers at the centre of a marathon corruption inquiry was no longer reliable.

Ida Oderinde, Dennis Tulloch, Everard Brown and Rennie Kingsley were convicted in separate trials at Snaresbrook Crown Court as a result of evidence given by officers from Stoke Newington police station in London, now under investigation in an inquiry codenamed Operation Jackpot.

Their convictions, in 1991, were all quashed as unsafe and unsatisfactory after Kenneth Aylett, counsel for the Crown, told Lord Taylor, the Lord Chief Justice, Mr Justice Henry and Mr Justice Blofield: "There are police officers upon whom suspicion has fallen as to their reliability in any evidence they may give in court."

Mr Aylett said since the Operation Jackpot inquiries began in late 1991, three officers had been suspended and another — Detective Constable Roy Lewandowski, the only one named in court — was serving 18 months for theft from the home of a dead man.

The officers were involved in all the prosecutions in different com-

By Terry Kirby
Crime Correspondent

binations, he said, but in all cases, the defendants had alleged at the time that police had planted evidence. In the Brown, Tulloch and Kingsley cases, there was no other evidence apart from that given by the discredited officers.

In the Oderinde case, there was some other evidence which was untainted, but in all of them the Crown would not seek to sustain the convictions. Patrick O'Connor, Mrs Oderinde's counsel, pointed out that the "untainted" evidence came from officers associated with those at the centre of the inquiry.

Mr Kingsley, 46, who has already served his four-month sentence for possessing cocaine and LSD said to have been discovered during a raid on his home, said afterwards: "I am very bitter, angry and disappointed that the system failed us. I just wish all this had taken place earlier. It is a shame that my initial complaint about being fitted up was not looked into."

The remaining three had been released on bail pending the appeal. Mrs Oderinde, 33, who was serving a four-year sentence for intention to supply heroin, alleg-

edly also discovered in her home, said she was considering a civil action against the police. "Many things have been covered up, but I am pleased that justice has now been done and I am out of prison and back with my children."

Mr Tulloch, 45, was jailed for four years after officers claimed to have found cocaine on him when he was approached outside a betting shop. Mr Brown, 36, was sentenced to six years for possessing crack with intent to supply after police alleged he made admissions when stopped in the street.

A fifth appeal, by Eula Carter, also on bail from a four-year sentence for intention to supply crack, was adjourned after the Crown said the conviction was being upheld. Although suspended officers had given evidence, it was corroborated by untainted evidence, the court heard.

Two weeks ago, the Court of Appeal quashed the convictions of two men for manslaughter after hearing that Lewandowski had allegedly planted evidence on them which had been stolen from the house of the dead man.

A large number of officers at Stoke Newington have been interviewed by the inquiry team and files are under consideration by the Crown Prosecution Service.



Dennis Tulloch, Rennie Kingsley and Ida Oderinde leaving court yesterday after their convictions were quashed Photograph: Steve Den

INDEPENDENT

5.5.95

Appeal victory for four jailed after 'police planted drugs'

THREE MEN and a woman who claimed they were wrongly jailed after drugs were planted on them by police had their convictions quashed by the Court of Appeal yesterday.

Their appeals were allowed after the Crown Prosecution Service conceded that evidence in their cases from police officers suspended and under investigation in Scotland Yard's Operation Jackpot corruption inquiry was no longer reliable.

The inquiry, headed by Det Supt Ian Russell, into alleged corruption at Stoke Newington police station in north London, is the most wide ranging in the Metropolitan Police for 20 years.

Everard Brown, Dennis Tulloch, Rennie Kingsley, and Mrs Ida Oderinde, a mother of three, who were cleared yesterday were given jail sentences ranging from four months to six years after being convicted in separate trials at Snaresbrook Crown Court during 1991.

Brown, Tulloch and Mrs Oderinde were freed on bail last September pending their appeals. Kingsley had already served his sentence.

By Terence Shaw, Legal Correspondent

terday, Lord Taylor, the Lord Chief Justice, who was sitting with Mr Justice Henry and Mr Justice Blofeld, said their convictions "clearly must be regarded as unsafe and unsatisfactory".

In each of the four cases, which were unrelated, the Crown at the trials had relied exclusively or largely on police evidence.

In each case, the defendant protested his or her innocence and asserted that incriminating evidence had been planted by the police.

After the convictions there were suspicions of malpractice by certain officers operating from Stoke Newington, particularly by one officer involved in all four cases.

There are now serious doubts as to the reliability of the evidence.

Lord Taylor said Brown, 36, had been convicted of possessing "crack" cocaine with intent to supply and sentenced to six years.

The police alleged he made admissions, but Brown had insisted that they were fabricated. Two officers in his case are now suspended.

Tulloch, 45, an unemployed decorator from Hack-

ney, was jailed for four years for possessing cocaine with intent to supply. Three officers, two of whom are now suspended, claimed to have found cocaine on him.

Mrs Oderinde, 33, was jailed for four years in August 1991 for possessing heroin with intent to supply after police raided her former home in Balls Pond Road, Hackney, east London. Evidence from the three officers involved, who are now under suspension or investigation, was clearly unreliable, said Lord Taylor.

Mr Kingsley, 46, of Dalston Lane, Hackney, was jailed for four months in July 1991 for possessing cocaine and LSD after police with a search warrant broke into his home with a sledge hammer after alleging that entry was refused.

Evidence from Det Con Roy Lewandowski, since jailed for theft, and two suspended officers formed the "backbone" of the prosecution case against him.

Det Con Roy Lewandowski is serving 18 months for theft from the home of a recluse, David Berman, who was found gagged and tied to a

chair in his flat in Hackney, in July 1988. Two men jailed for the manslaughter of Mr Berman were cleared last month by the Court of Appeal after claiming that evidence linking them with the killing had been planted by Det Con Lewandowski.

Mr Kenneth Aylett, counsel for the Crown, said that, in the light of material gathered during Operation Jackpot, they did not seek to sustain the convictions against the four appellants.

The Crown continued to oppose an appeal by Miss Eula Carter, 29, of Oxford Road, Finsbury Park, who is serving four years for possessing crack cocaine with intent to supply. Her case was adjourned.

After the four convictions were quashed, Mrs Oderinde, 33, said she would consult her lawyers about bringing a civil action against the police.

"Many things have been covered up, but I am pleased that justice has now been done and I am out of prison and back with my children, who are 15, 13 and three."

"My youngest was only a few months old when I went to prison and I am only now getting to know her."

JAILED DRUGS 4 CLEARED

DRUG convictions against four people were quashed yesterday after judges decided police may have lied.

Ida Oderinde, 33, Dennis Tulloch, 45, and Everard Brown, 36, spent between 13 and 15 months in jail before being bailed last Autumn. Rennie Kingsley, 46, served two months.

The four, of Hackney, east London, told the Court of Appeal the drugs were planted on them by Stoke Newington police officers, who are being investigated for corruption.

TODAY

DAILY TELEGRAPH



OVERDOSE: This time the police went too far. Rennie Kingsley, Dennis Tulloch and Ida Oderinde all had their drugs convictions quashed by the Appeal Court yesterday.

Frame-up victims freed

THREE men and a woman who said that they had drugs planted on them by officers from Stoke Newington Police Station, east London, were cleared by the Court of Appeal yesterday.

Dennis Tulloch, Everard Brown and Ida Oderinde had all been jailed after trials at Snaresbrook Crown Court during 1991, but were later freed on bail pending appeal.

Rennie Kingsley had already served his sentence.

After the convictions were quashed yesterday, Mr Kingsley said: "Of course, I am very bitter, angry and disappointed that the system failed us."

"I just wish that all this had taken place earlier. It is a shame that my initial complaint about

being fitted up was not looked into."

Mrs Oderinde said that she would consult her lawyers about bringing a civil action against the police.

"Many things have been covered up, but I am pleased that justice has now been done and I am out of prison and back with my children, aged 15, 13 and three."

"My youngest was only a few months old when I went to prison and I am only now getting to know her," she added.

Police evidence on drugs 'unreliable'

By STEWART TENDLER, CRIME CORRESPONDENT

THREE men and a woman who claimed they were framed on drug charges by police now involved in a corruption investigation were yesterday cleared by the Court of Appeal.

The Crown Prosecution Service (CPS) said it could no longer rely on evidence from the officers, from Stoke Newington, northeast London. They had been suspended in connection with an enquiry into alleged corruption at the police station.

Dennis Tulloch, 45, Everard Brown, 36, and Ida Oderinde, 33, were jailed after trials at Snaresbrook Crown Court in 1991, but were later freed on bail pending the appeal. Rennie Kingsley, 46, had completed his sentence.

Kenneth Aylett, for the CPS, said further appeals could follow as more material was released by the Police Com-

plaints Authority, which is supervising the investigations. Since the enquiry began in 1991, eight officers have moved from the station.

So far the CPS has offered no evidence in 17 drug cases and 17 defendants have been acquitted in other cases. Four more cases are waiting to be heard. Seven cases, including the four yesterday, are going or have gone to appeal and 12 civil actions are pending.

Mr Kingsley, a housing officer from Hackney, said: "There are many people still in prison because of evidence from the same police station."

The appeal was heard by the Lord Chief Justice, Lord Taylor of Gosforth, Mr Justice Henry and Mr Justice Blofeld. Mr Aylett told them that three officers had been suspended during enquiries and one jailed for theft.

TIMES

3.3.93

MORNING STAR



SPEECH ON CRIME FRIDAY 5TH MARCH 1993

Ms. Diane Abbott (Hackney, North and Stoke Newington): I listened with interest to the hon. Member for Welwyn Hatfield (Mr. Evans). My constituents live on the front line of the war against crime, and my constituents and I do not need lectures from Conservative Members about how frightening and demoralising it is to live in an area of high crime rates. My constituents and I want people accused of crime to be pursued just as ferociously as Conservative Members say that they do. We want such people—including the police, when they are accused of crime—to be pursued with the full rigour of the law and, where appropriate, prosecuted.

On Tuesday the Home Secretary made a statement about the Government's plans for responding to juvenile crime. On the same day four people—Rennie Kingsley, Ida Oderinde, Dennis Tulloch and Everard Brown—had their convictions quashed by the Court of Appeal, headed by the Lord Chief Justice, Lord Lane, because the evidence in their cases from police officers at Stoke Newington police station was no longer reliable. Rennie Kingsley had already served two months of a four-month prison sentence. Ida Oderinde had served 13 months of a four-year prison sentence. Dennis Tulloch had served one year of a four-year sentence. Everard Brown was sentenced for six years in 1991. All those people had had drugs planted on them by police officers, four were accused of possession, and three with the intent to supply.

All the police officers involved are on suspension and under investigation because of those allegations, and a host of others. As long ago as April 1991, Scotland Yard set up Operation Jackpot to investigate allegations of corruption at Stoke Newington police station. They were not idle allegations, or only one or two allegations, but a series of serious allegations that has taken nearly three years to investigate. The investigation is not yet complete. An interim report was issued on 20 November 1991—the full report is still not available. But according to the information released to date, there is sufficient evidence to substantiate the allegations. The operation was expected to end last summer, but was prolonged.

A number of officers have been accused of planting drugs, theft and conspiracy to pervert the course of justice. To date, 12 officers have been named: PC Mark Carroll has been mentioned in 10 cases; PC Terence Chitty has been mentioned in 12 cases; PC Bruce Galbraith has been mentioned in five cases; DC Bernard Gillan has been mentioned in six cases; DC Paul Goscombe has been mentioned in five cases; PC Christopher Hart has been mentioned in 12 cases; DS Graham Leblond has been mentioned in one case; DC Roy Lewandowski has been mentioned in four cases; DC Barry Lyons has been mentioned in eight cases; DC Peter McCulloch has been mentioned in seven cases; DC Ronald Palumbo has been mentioned in 14 cases; DS Robert Watton has been mentioned in four cases.

The most frightening aspect of the investigations is the number of police officers that have been accused of participating in organised crime. It has been alleged that drugs discovered in raids have been returned to the community by bent policemen who have set up individuals to sell drugs on their behalf in return for a cut of the profits.

Eight of the officers have been transferred from Stoke Newington. DC Ronald Palumbo was convicted of

theft and is in prison. PC Bruce Galbraith, DC Barry Lyons and DC Ronald Palumbo have been suspended. The number of officers implicated suggests that this is not a case of one or two bad apples in the barrel. It is difficult to believe that senior officers were not aware of what was going on or that they did not condone it. Because these allegations are so serious and because a serious investigation has been going on for so long, I call on the Home Secretary to waive the excuse of jurisdiction and to look into the matter.

When one raises these issues with the local police they get understandably defensive. The police in areas such as Stoke Newington do not have an easy task; it is easy for them to slip into a siege mentality. But it is wrong of them to imply, as they consistently do when they talk on or off the record about this subject, that the allegations are all invented by bent officers and criminal members of the public. The Government have a responsibility to take the situation at Stoke Newington seriously and I ask them to make the following commitments: first, to make Detective Superintendent Russell's report available to the Royal Commission on criminal justice as soon as it is ready. Secondly, I ask them to introduce a directive on police investigations to ensure that they do not take longer than necessary. I need not remind the Minister of the case of *ex parte Cherry*. In that case, police officers escaped prosecution because the investigations had taken so long.

I want figures, division by division, of the numbers of police officers who have been the subject of complaints. How many officers have been cautioned, suspended or convicted in relation to these complaints? I want the Government to allow the Crown prosecution service to take a more active role by assuming responsibility for investigating allegations of police misconduct. The system of the police investigating themselves commands no confidence among the public. It is time the police were subjected to genuinely independent external investigations.

Finally, I ask the Home Secretary to consider reviewing the police complaints system and to replace the current criminal standard of proof required with the civil standard of proof, based on the balance of probabilities. I have written to the Home Secretary about these matters, but unfortunately not yet had a reply.

It is not easy to raise matters of police wrong doing or corruption in this House. I am sure that my hon. Friend's on the Opposition Front Bench would far rather I did not. It is easy for people to accuse us of being anti-police or of undermining confidence in the police. I am the first to say that there are dedicated police officers at Stoke Newington police station, working in difficult circumstances, but the fact is that over the past decade the police have undermined confidence in themselves in cases such as the Birmingham Six and the Tottenham Three. There cannot be effective action against crime in our inner cities unless the police command the absolute support of the community.

We have an appalling drug problem in Stoke Newington. My constituents and I want a real war against drugs there. We want the drug dealers taken off the streets. When I leave my home in the summer and push my baby along in the pushchair down to Dalston junction, I pass crack dealers in the street. We want the clubs where drug



littered with children roaming the streets after dark, and engaging in petty vandalism and theft. Why? Because their parents could not give a damn about where their children are or what they are up to.

It is no good lecturing such people on the need to show more affection to their kids, making them pay fines or even docking their child benefit entitlement although that would concentrate their mind. The parents of persistent offenders should be put behind bars while their children are temporarily looked after by people who exhibit some responsibility. It is nearly always left to schools to pick up the pieces. It is ludicrous that, when faced with a classroom of hooligans, a teacher cannot resort to corporal punishment or—as in my day—hurl a blackboard duster at the head of an obnoxious student. The result is that the days have gone when you could hear a pin drop in the classroom and we now have a generation that are out of control. What sort of message goes out to the public when a rapist is told by a judge to give the victim £500 for a holiday so that all will be well? The rapist should have his goolies removed.

My friends know my honest view of Europe, but one practice from the Community that I would grasp with open arms is national service. Young people—both men and women can learn the benefits of discipline, teamwork and deference to authority. The term should be 18 months. People say that we cannot afford it, but I say that we cannot afford not to have it. People may talk about a peace dividend, but events around the world show us that we must be on our guard more than ever before. We cannot forget the schemes that incorporate community work—what young people really need to be told is to “get some in”.

As well as being concerned about the breakdown of discipline and respect for authority in our society, I am also deeply worried about the extent of television and cinema violence. In a society where many children lack guidance, the violence depicted in the visual media has a disturbing effect. Where else do youngsters get the idea of maiming toddlers? Where do youths get the idea that wielding a gun or knife is glamorous? Too often, violence is depicted without a moral standpoint or, worse still, the homicidal maniac is idolised. Children must be protected from such garbage. Again, that involves the participation of parents, who too often prefer to be down at the pub.

What of the Labour party's law and order policy? What a joke it is. The malaise in our society that has contributed to the rise of lawlessness has largely been as a result of the ideology of the Labour party. That party has paid more attention to rehabilitating or excusing the offender than punishing him. The Labour party is pathetic.

Since 1979, the Labour party has fought against every major piece of legislation designed to combat crime. Opposition Members, including the hon. Member for Sedgefield (Mr. Blair), go up and down the country moralising and talking hypocritical nonsense. They opposed the Police and Criminal Evidence Act 1984, which strengthened and clarified police powers in criminal investigations, and the Public Order Act 1986, which provides the police with stronger powers to deal with street

deals are struck to be closed down; likewise the flats on estates where drugs are retailed. We want these crack dens cleaned up; we want a war against drugs in Hackney. It is a matter of great concern to me that the Metropolitan police still have no overall strategy on drugs.

If we mention serious allegations against the police Conservative Members are quick to say that we are anti-police, but unless these allegations are cleared up and the police regain the confidence of the community, they will be unable to act against the serious problems in our midst. The allegations against the police in Stoke Newington are the most serious allegations of police corruption for many years. They have hung like a cloud over Stoke Newington police station. As a resident and representative of the area, I want a fresh start there. I want the Home Secretary to answer my letter and the points that I have made. I want to know which policemen are guilty and which are not. We want the Stoke Newington police station to be cleaned up and we want a fresh start, with genuine co-operation between police and community, so that we can attack the drug dealers, the drug abuse and the drug peddling that are poisoning our community.

BOMB ALLEY!



● Barbara O'Brien, with daughters Ann Marie (left) and Theresa, at the end of sealed-off Walford Road.

Street
shoot-out
as police
storm
IRA
suspects'
house

by RUSS
LAWRENCE

TEA lady Barbara O'Brien is still "shaking" at the discovery of an IRA bomb factory on the other side of her living-room wall.

The 43-year-old mother-of-four spoke this week about the "ordinary chap" living next door who was arrested with another man in a shoot-out after armed police stormed the terraced house in Walford Road, Stoke Newington, on Tuesday afternoon.

The dramatic swoop came after a tip-off following the release by Scotland Yard's anti-terrorist squad of security camera pictures of two men wanted for the Harrods bombing earlier this year.

A search of the house uncovered 65lbs of Semtex explosives, guns, detonators and bomb-making equipment.

The house is less than 200 yards from Stoke Newington police station and 300 yards from Belgrave Road, where Pc Ray Hall, 36, was shot twice last

● Continued on back page

The police are often victims themselves

I WAS saddened to read Tom Benfield's letter (last week's Gazette) and his blanket attack of the police.

Has he thought through how society generally is behaving? Remember Pc Laurence Brown, shot in cold blood by a crazed gunman. Remember Pc Blakelock, who was almost beheaded by a riotous mob. Remember the policeman shot while chasing a mugger - all doing their duty in order to protect the law-abiding citizen.

These are only a few of the many who are killed or maimed. They, too, leave wives and innocent children who are left fatherless. Couldn't Mr Benfield have a kind word for these victims?

How many times are the police called out to bomb alerts and have to remain in the danger zone while they try to shift the public to safety?

What about the times they are called to road accidents and have to pull the victim out of a mangled car and then have to tell the next of kin? There are so many horrific incidents the police have to deal with, it is a wonder so many have the courage to stay in the force.

The Roy Lewandowski incident is regrettable, but we must remember he was given a bravery award for his courage and devotion to duty after he arrested a knife-man who attacked him during a drug raid. An incident like this could have affected him.

If we all supported the police a bit more instead of always condemning them, we might walk the streets in safety. It is not policemen I would be afraid of seeing over my shoulder, but the cowardly muggers who knock old people to the ground for a few pounds. - GRACE STONEMAN, DARENTH ROAD, STAMFORD HILL.

Four more drugs cases thrown out

But fears grow that jailed cop is carrying the can for 'widespread corruption'

by MARK GOULD

AS four people were cleared this week of drugs convictions because of the discredited evidence of corrupt Stoke Newington cops, fears were raised that disgraced detective Roy Lewandowski may be used as a scapegoat to let others off the hook.

The Court of Appeal cleared Dennis Tulloch, 45, Ida Oderinde, 33, Rennie Kingsley, 46, and Everard Brown, 36, of drug offences after prosecution barristers admitted there were "serious doubts" about evidence from Lewandowski and two other suspended cops.

Operation Jackpot, the investigation into drug dealing and corruption by officers at Stoke Newington, has entered its second year and has so far resulted in the transfer of eight cops, three of whom have been suspended.

Lewandowski, officer X at the centre of the Jackpot inquiry, is serving 18 months in jail for stealing property from a manslaughter victim. He was the only officer named at Tuesday's Court of Appeal hearing into the four unconnected cases.

Watchdog group Hackney Comm-

unity Defence Association want an independent inquiry into Stoke Newington cops.

They are concerned that Lewandowski could be sacrificed while complaints they have made about 13 other officers go uninvestigated.

A HCDA spokesperson said: "We would be worried that he could be used as a scapegoat and other officers won't be put into the public eye. Corruption is widespread."

"It was really a victory on one level. At least we managed to push the situation into the public eye and secured an unprecedented victory at the Court of Appeal."

Mr Kingsley, from Dalston Lane, has already served his four-month sentence for possessing cocaine and LSD and said he is very angry that

the system has failed. Mrs Oderinde, from Balls Pond Road, Dalston, cleared of possession of heroin, said: "I have been in jail while these officers have all been suspended on full pay."

Mr Tulloch and Mrs Oderinde are considering civil cases against the police for compensation.

Stoke Newington's top cop, Chief Supt Niall Mulvihill, said: "These cases relate to prosecutions launched in 1990 and 1991. No officer now serving at Stoke Newington was involved."

"In fairness to those former Stoke Newington officers, it would be right and proper to await the inquiry outcome. The sooner the Crown Prosecution Service make their decision, the better for all parties."

"I will not tolerate malpractice or misconduct and have absolute confidence in the integrity of the officers in my division."

Racists accused of leaflet attack on Jewish settlement

by MARK GOULD

FAKE leaflets from a race-hate group are being sent out to synagogues in the Stamford Hill area to try to scare the orthodox Jewish community out of an exodus to a Hertfordshire village.

The leaflet, which comes from the non-existent Jewish Youth Defence League and gives a non-existent PO box address, attacks Jewish elders for endangering lives by wanting to resettle hundreds of families from the

Lubavitch sect in the village of Shenley.

And it goes on to list a tally of anti-semitic incidents and the growth of ultra-right-wing racist groups, like the National Front and the British National Party, in Watford - only a few miles from the planned settlement.

It also demands the Jewish community "reclaim" the streets of N16 by vigilante patrols and blames "coloured immigration" for the

robbery and murder of grandmother Miriam Lieberman at her home in Queen Elizabeth's Walk last month.

Mike White, from the Board of Deputies of British Jews, said: "The leaflet has been sent to most synagogues in the area. It is a complete fake - no such organisation exists. Its contents should be disregarded as it is just an incitement to hate."

Anti-fascist watchdog group Searchlight, who investigate Nazi-style groups all over the world, have also heard of other leaflets attacking the planned north-west London "enclave" - an area where most Jews can move freely on the Sabbath.

"There have been a number of these leaflets around attacking the Shenley settlement and the enclave," said a spokesperson.

"Anyone with half a brain can see that they are fake and just designed to stir up trouble."

"The PO box number 88 is a favourite with right-wing groups."

"It's associated with Column 88, a fascist group, and the number eight is also used by the BNP and the NF for the letter H, so 88 would stand for Heil Hitler. It's their idea of a joke."

HC 5.3.93

Grant cut reduces support to the victims of crime

HACKNEY'S Victim Support scheme says it will become the only one in inner London not to be supported by its local authority when it loses its £15,000 grant.

The scheme will be forced to cut its service and sack two part-time staff, warned co-ordinator Seamus Kennedy.

The scheme, which provides a "listening ear" and practical help and advice, counselled 4,500 people last year, including elderly and frail victims traumatised and injured in violent attacks.

It also helped victims claim more than £140,000 from the Criminal Injuries Compensation Board.

Salvation Army Major James Williams, chair and founder of the Hackney scheme, said: "Victims of crime must not be neglected and we are appealing against this cut."

"All the scheme's volunteers are lobbying their councillors and are going to start a petition against the cuts."

The scheme, which has helped more than 18,000 people in eight years, now needs community support to encourage the council to continue its grant, added Major Williams.

Hackney police added their backing. "The scheme provided a tremendous service to people of ten overlooked in today's society and helped the police a great deal, especially by getting victims to testify in court," said Det Chief Insp Dan Crawley, at Hackney police station.

Visits

The loss of two part-time workers, an administrator and an assistant co-ordinator, would mean an end to the scheme's "open door" policy and would jeopardise support provided to 40 volunteers who visit victims at home.

The scheme will be left with just two full-time staff, funded by a grant from the Home Office.

The council's community services committee withdrew funding in December, describing the scheme's activities as "not within the remit of social services" and "low priority."

30,000

Hackney has one of the highest crime rates in the country, with nearly 30,000 reported crimes last year, excluding vehicle crime.

Since the start of January, there have already been more than 1,000 burglaries in Stoke Newington alone.

Psychiatric patient put on probation for canal attack

TREVOR MONERVILLE, the man who suffered brain damage six years ago after being held at Stoke Newington police station, escaped a jail sentence on Friday for inflicting grievous bodily harm on a 61-year-old woman.

Monerville, 25, from Richmond Road, Hackney - who collapsed at Brixton prison in 1987 after being spending two days at the police station - was sentenced to two years' probation providing he continues with psychiatric treatment at Hackney Hospital.

He had pleaded guilty at Middlessex Crown Court in January. The victim, Josephine Trevell, suffered a broken

nose and arm, three smashed teeth, a serious gash on her forehead and cuts and bruises all over her body after being pushed off a ledge as she closed a lock gate on Regent's Canal in August last year.

Mr Michael House, defending, said Monerville panicked when Mrs Trevell opened the gate to allow her husband to steer a narrow boat through - because it separated him from his four-year-old son, who became stranded on a central reservation.

The judge, Mr Recorder James Goudie, QC, acknowledged that his "exceptional course" may be thought "lenient," but he said Monerville's present rehabilitation would be undone by a prison sentence.

Drink problem

Mr House had told the court that there was "a very real risk" that if Monerville went to prison he would be a greater danger to the public when he came out.

Monerville, who is unemployed, had a drink problem, but had succeeded in reducing his thirst for strong lager from eight to two cans a day. He was ordered to pay Mrs Trevell £250 compensation.

A charge of assault causing actual bodily harm to Leslie Trevell, 64, was not proceeded with and left on the court file. Mr Trevell, shocked by the attack on his wife, had lunged at Monerville with a lock gate key and the defendant struck him, allegedly in self-defence.

Bomb factory

Continued from front page

November after he stopped a lorry loaded with explosives.

"I'm still shaking at the thought that they were making bombs and we were living next door," said Mrs O'Brien.

"When I was sitting in bed reading, I could hear them talking because the walls are not very thick. But I couldn't hear what they were talking about."

Her long-haired and "scruffy" neighbour lived alone in the ground-floor flat. She had twice had words with him.

The first was when he complained her Alsatian dog, Rusty, was jumping up at the fence. The second was when he left the tap running while washing a shirt and it caused flood damage to her home.

"I told him I might have to kill him for it," she said. "He was very apologetic and as nice as pie. He didn't speak with an Irish accent."

Mrs O'Brien's daughters, Theresa, 18, and Anne Marie, 14, watched as police crashed through the door.

"An officer shouted to get away from the window," said Theresa. "Then, as marksmen hid behind cars, he ordered 'Come out, Number 52'."

Police sealed off surrounding streets and residents returning home from work were forced to wait in the cold for nearly two hours before being let through.

Walford Road remained sealed off until Thursday. Residents had to be escorted by a police officer every time they left or returned to their home.

Police removed two cars believed to belong to the suspects on Wednesday afternoon.

The second man arrested at the house worked at Tesco's supermarket in Bethnal Green Road and lived in Mile End.

Anti-terrorist squad cops with sniffer dogs raided the Rights Shop in Bethnal Green Road on Wednesday. They spent an hour in the shop and went away empty-handed.

The scheme has also been hit by an unexpected business rates bill of about £2,500, which was deducted from the last grant cheque it received in February.

The scheme has not previously paid business rates because it is based in Salvation Army premises in Mare Street which should be exempt. It intends to fight the decision.

HC 5.3.93

Demands for inquiry as drug convictions are quashed

A PRESSURE group has stepped up its call for a judicial enquiry into corruption at a police station after four people jailed on police evidence were freed.

Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown had their convictions quashed by the Court of Appeal last week.

Mr Kingsley said: "There is a lot of racism in a system which only takes the word of police officers. The officers who raided me were all White and the people in the court were all White."

Kenneth Aylett, prosecuting, did not contest the appeal, and said of the police officers that "there are serious doubts as to their reliability as witnesses of truth."

The four had been serving sentences of up to six years for drug offences after being

arrested by policemen from Stoke Newington Station, north London, in 1990.

All said the drugs had been planted on them. Scotland Yard is currently investigating allegations of drug dealing, perjury and fabrication of evidence at the station.

One officer has since been given an 18-month sentence for stealing from the house of a manslaughter victim. Three others have been suspended and eight transferred.

But the Hackney Community Defence Association (HCDA), which campaigned for the releases, was dismissive of the police enquiry.

"We have no confidence



ROUGH JUSTICE: Three of the accused leave court.

whatsoever in police investigating police behind closed doors," said Graham Smith of HCDA, which is calling for a judicial enquiry.

He added: "The problem of police crime has set back the fight against crime. Public pressure led to the suspensions

of the officers. Without the suspensions the four would not have been released."

A number of other drug-related convictions involving Stoke Newington officers need urgent review, said Mr Smith.

Scotland Yard refused to comment.

VOICE

9.3.93

12 'corrupt' police named



Twelve detectives allegedly involved in the Stoke Newington police corruption scandal have been named in Parliament.

Diane Abbott, the MP whose constituency includes the scandal-hit police station, named the officers in last Friday's Commons debate on crime.

She said that a 'frightening number of police officers have been accused of participating in organised crime'. She quoted from a press briefing circulated last week by the Hackney Community Defence Association which accused the 12 of involvement in 'police crime'.

Many of the officers Abbott named were identified last year by *Time Out*.

One ex-officer is in jail, three officers have been suspended, eight transferred and one taken off 'operational duties'. Only two of the 12 are still serving at Stoke Newington, which has been the subject of a Scotland Yard investigation into alleged drug dealing by police since 1991.

Calling on Home Secretary Kenneth Clarke to investigate, Abbott told the Commons: 'I want to know which policemen are guilty and which are not. I want Stoke Newington police station to be cleaned up and a fresh start, with genuine cooperation between the police and the community.'

TIME OUT

10-17-3.95

Police told to free papers

Vivek Chaudhary

THE Metropolitan Police was told yesterday to hand over documents relating to an internal complaint by a policewoman who claims that colleagues victimised her and abused her racially and sexually.

An employment appeal tribunal in central London dismissed an appeal by the Metropolitan Police that documents from its internal grievance procedure should remain secret.

The complaint was brought by WPC Sarah Locker in August 1991. She claimed she was repeatedly passed over for promotion to CID while less experienced white male colleagues were given postings.

Mrs Locker, aged 31, who is of Turkish-Muslim origin, also took her case to an industrial tribunal but the Metropolitan Police refused to hand over documents from its internal procedure to her lawyers, despite being ordered to do so by the tribunal in April 1992.

Mrs Locker, a policewoman for 12 years, who lives in Chigwell, Essex, also claims that she was victimised after making the internal complaint, and was advised to stay at home after receiving a phone call warning her to be careful.

"I'm delighted with the result," she said yesterday. "I first asked for the documents a year ago and the police attempts to hide them from me have delayed my case. I have been going through hell but I

hope that we can now settle this matter. I am determined to go all the way. There's no way that I'm going to give up."

The documents are thought to contain interviews conducted by the police during the investigation of Mrs Locker's complaint, and other evidence relating to her claims that she was victimised and discriminated against.

The Metropolitan Police has 28 days to appeal against the employment appeal tribunal's ruling. If it does, Mrs Locker's case could be delayed for another year.

A spokesman for the force said: "We are considering an appeal, but it is still in the early stages."

Jane Delighton, Mrs Locker's solicitor, accused the police of delaying the case by refusing to release the documents.

"The police have been trying to keep the documents secret but we now hope they will take a mature attitude and hand them over. It's quite scandalous that a police force which claims to be committed to equal opportunities should seek to delay the grievance of a single woman officer."

Mrs Locker, whose case is being backed by the Commission for Racial Equality and the Equal Opportunities Commission, claims the police grievance procedure was not properly pursued, and she was asked irrelevant questions.

The tribunal agreed she had a right to see any interviews conducted in relation to her complaint.

CUNTOIAN 11.3.93

Events show "nest of corruption"

AN MP has said her long-running campaign to expose corruption at a north London police station has been vindicated by events.

Diane Abbott was speaking after the Court of Appeal quashed the convictions of four people who had been convicted on the basis of evidence given by officers from Stoke Newington station.

The four - three men and a woman - have long kept up claims that drugs were planted on them by officers in order to obtain false convictions.

Lord Taylor, the Lord Chief Justice, said evidence from these officers could not be relied upon.

Ms Abbott, whose Hackney and Stoke Newington constituency covers the station said: "There was a nest of corruption at Stoke Newington police station.

"We have a very serious drugs problem in Stoke

by Delores Hart

Newington. The police need to drop their bunker mentality and admit that the allegations of corruption are true.

"There needs to be a clear-out of bent policemen at Stoke Newington. Then we can have a new era of police-community cooperation at Stoke Newington, and a real war on drugs in Hackney."

Twelve officers are said by police to be under internal investigation and one of those alleged to have been involved has been charged and convicted on a separate theft charge.

However, more than a year has passed since the allegations of corruption were made against the officers and no officer has yet been openly charged in connection with the allegations, still considered very serious against a police officer.

WEEKLY JOURNAL

11.7.93



Stoking the ire...

THERE must have been sighs of relief last week at Stoke Newington nick, north London, when two men were arrested by the anti-terrorist branch and a big arms cache was found in the area. At last you could say "Stoke Newington police" without immediately thinking of Operation Jackpot, the long-running inquiry into police corruption.

But just as the anti-terrorist boys sprang into action, four people arrested in separate incidents by Stoke Newington police over the last four years were having their convictions quashed by the lord chief justice at the court of appeal, on the grounds that some of the officers in their case could not be regarded as "witnesses of truth".

For the second time in a month, TV cameras outside the high court focused on people attacking the honesty of the Stokey police.

There is a new chief at the station now, Niall Mulvihill, a superintendent regarded as media-smart by his superiors. The message from Niall after the latest setback seemed to be that all that was necessary was to put this unfortunate incident behind them and win back the trust of the local population.

Alas for Niall. All four of those cleared have indicated that they might consider civil actions for wrongful arrest. Ma Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown were less than happy that no hint of apology seems to have slipped out of the station.

The two men cleared earlier last month of a manslaughter conviction resulting from a SN investigation, James Blake and Francis Hart, are also

considering their positions. The Met police's record on civil actions is not a happy one — they paid out more than £600,000 for damages claims over false imprisonment, assault and wrongful arrest last year.

More worrying for the station are the lurking cases which have yet to come to court or appeal, and the grim total of failure that has sprung from the activities of its officers and the collapse in public confidence: there have been some 76 drugs cases since 1988 where there are deep doubts, reckon the Hackney Community Defence Association. Of these, the crown prosecution service (CPS) has thrown in the sponge on no fewer than 17; 17 have resulted in acquittals — the juries at Snaresbrook crown court now have their own views about the reliability of Stokey cases. Six cases are awaiting appeal and 12 civil actions are either underway or being considered. It looks like there are going to be Jackpots of rotten apples running on till at least this time next year.

Only one officer, former detective constable Roy Lewandowski, has been charged so far. He is doing 18 months for stealing from the home of a manslaughter victim and was cleared on a VAT charge. Three others, Bruce Galbraith, Barry Lyons and Ronald Palumbo, have been suspended. Reports about others are with the DPP.

Lewandowski is seen as holding the key to what has been going on at the station. Could it now be that he will feel like co-operating with the corruption inquiry? He has smartened up since he was a long-haired wide boy zooming round Hackney in his denims. At court before he was weighed off he was all blazer-and-paisley-tie. If he were now to make a clean breast of it all, senior officers at Stoke Newington might not be able to continue with their relentless line that it was all down to naughty Roy and has just been whipped up by the local lefties and their chums in the legal and media worlds.

PRIVATE EIE

12.3.93

MP points finger at 12 in police corruption probe

HACKNEY MP Diane Abbott has named 12 cops implicated in the Operation Jackpot corruption probe and called on Home Secretary Kenneth Clarke to set up a full inquiry into policing at Stoke Newington.

Using parliamentary privilege, which protects MPs from legal action, the MP for Hackney North told the House of Commons that 12 Stoke Newington cops had been implicated in planting drugs, theft and conspiracy to pervert the course of justice.

She named Pcs Mark Carroll, Terence Chitty, Bruce

by MARK GOULD

Galbraith and Christopher Hart, Det Cons Bernard Gillan, Paul Goscombe, Roy Lewandowski, Barry Lyons, Peter McCulloch and Ronald Palumbo, and Det Sgts Graham Leblond and Robert Watton.

Lewandowski is serving 18 months in prison for theft from a murder victim. Eight officers were transferred from Stoke Newington in 1991 pending the outcome of Operation Jackpot – the biggest corruption investigation in the Metropolitan Police for more 20 years.

Three of the eight – Pc Galbraith and Det Cons Lyons and Palumbo – have been suspended. Drug trials have been thrown out and drug convictions quashed because of suspect evidence from Stoke Newington officers.

"The number of officers implicated suggests this is not a case of one or two bad apples in the barrel. It is difficult to believe senior officers were not aware of what was going on or that they did not condone it," Ms Abbott told the House on Friday.

"Because these allegations are so serious and because a serious investigation has been going on for so long, I call on the Home Secretary to waive the excuse of jurisdiction and look into the matter."

Det Supt Ian Russell, leading the Jackpot Inquiry, submitted an interim report to the Crown Prosecution Service in November.

Ms Abbott wants a full report handed to the independent inspectors on the Royal Commission on Criminal Justice who are looking into a massive shake-up of the judicial system.

A junior Home Office minister confirmed the commission would get to see the full report, but would not comment on the named officers.

Supt Doug West, from Stoke Newington police, said: "We share Ms Abbott's concerns about drug dealing and welcome any opportunity to co-operate to stamp it out."

"I could not comment on anything she said in the Commons concerning officers. There is an investigation going on and we await the outcome."

Two in court on bomb charges

THE two men arrested in the dramatic swoop in Walford Road, Stoke Newington, last week appeared at Arbour Square Magistrates' Court on Friday morning amid extra-tight security.

As the two men – Jan Alexander Taylor and Patrick Thomas Hayes – arrived in the centre of an armed convoy, police helicopters circled overhead and armed officers had guns trained on the court building from nearby flats throughout the short proceedings.

In addition to being accused of unlawfully and maliciously causing an explosion at Harrods with in-

tent to endanger life, Taylor and Hayes are charged with unlawful possession of Semtex in Walford Road and conspiring to cause an explosion with intent to endanger life. Taylor is also charged with attempting to murder Pc Phillip Thome at 52 Walford Road.

Prosecutor Mr Richard Glenister told the court: "On arrest, they were found to be in possession of a large number of explosives and firearms."

Mr Kenneth MacDonald, representing both men, made no application for bail. Taylor and Hayes were remanded in custody until Thursday, April 1.

HC

12.3.93

Police arrest and charge fewer suspects

A survey reveals a growing gap between rising crime and prosecutions. Terry Kirby reports

MANY police forces are arresting fewer suspects and charging a smaller proportion of those they do apprehend, in spite of the rising crime rate, according to a survey conducted by the *Independent*.

The Association of Chief Police Officers has confirmed that arrests in up to half the 43 police forces in England and Wales either fell or showed little change during 1992. At the same time, magistrates' courts are reporting an unprecedented drop in cases.

John Hoddinott, Chief Constable of Hampshire and secretary of ACPO's crime committee, said he believed the reason for a decline in arrests may be that the police had "reached the ceiling" of their ability to respond at a time of rising crime and finite resources. But he stressed that detections per officer had increased dramatically over the past 10 years.

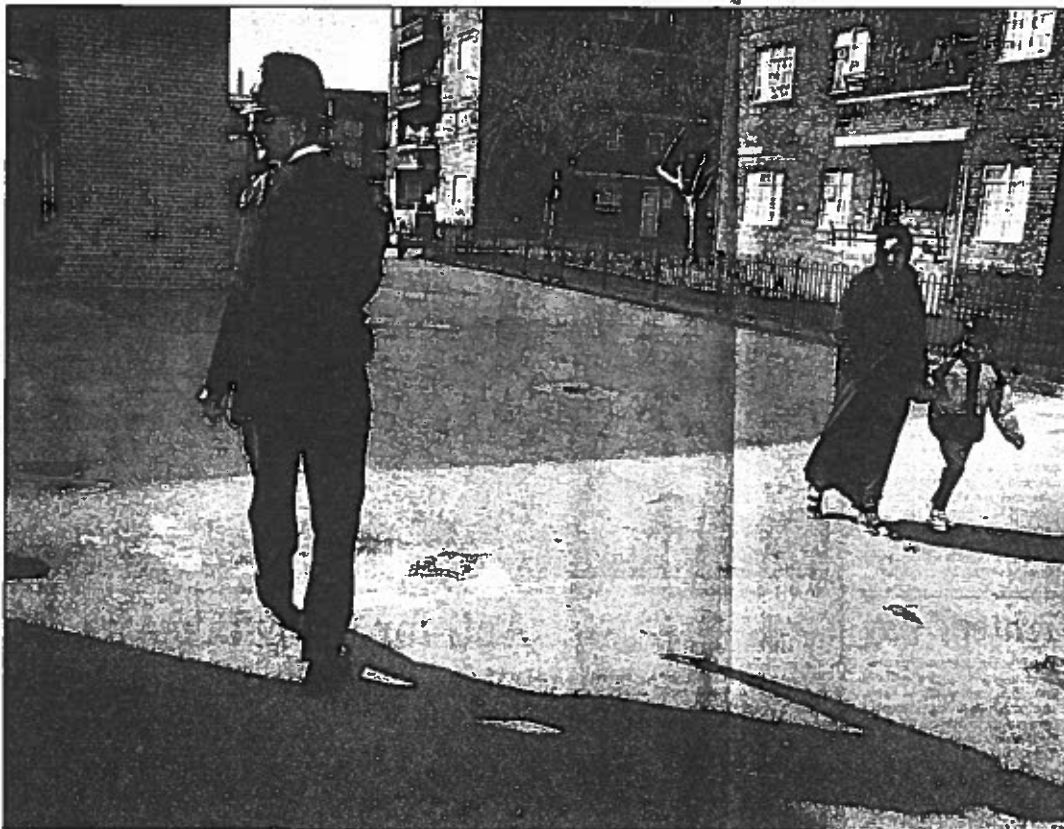
Figures obtained by the *Independent* show:

■ Officers in London arrest fewer suspects on average than anywhere else in the country. In some forces, officers average three times more arrests per year than the Metropolitan Police. Nottinghamshire officers average 20 arrests a year.

■ Prosecutions in magistrates' courts fell by about 13 per cent at the end of last year — an unprecedented drop. In some urban areas, there were falls of up to 35 per cent.

■ In 1991 all but four forces suffered double-figure percentage increases in crime, but in only one force, Suffolk, did arrests increase by double figures. In 16 forces, the numbers of arrests dropped or rose by less than 1 per cent.

The figures — which are subject to variations in recording between forces — will add to the debate on police performance. Kenneth Clarke, the Home Secretary, has called for more information on the police to be published, and suggested the creation of "league tables". He has expressed concern over falling arrest figures, particularly in London.



A policeman patrolling an estate in Tower Hamlets, east London. Moving officers from administration back to the beat is one response to rising crime. Photograph: Tom Pilson

ARRESTS: THE FORCES' LEAGUE TABLE

	1990		1991		1991
	A	B	A	B	C
NOTTINGHAMSHIRE	6	26	2	13	20
CLEVELAND	4	22	6	6	19
HAMPSHIRE	3	21	-1	20	19
LANCASHIRE	8	20	8	13	19
LINCOLNSHIRE	19	10	6	14	19
NORTHUMBRIA	5	12	4	11	19
WEST MIDLANDS	4	16	6	14	19
CUMBRIA	7	18	9	35	18
DURHAM	2	18	-3	20	18
HUMBERSIDE	2	14	-1	14	18
NORTH WALES	10	9	8	17	18
SOUTH WALES	7	18	3	17	18
STAFFORDSHIRE	-1	22	6	19	18
GREATER MANCHESTER	1	15	0	12	17
NORTHAMPTONSHIRE	7	23	6	22	17
BEDFORDSHIRE	28	31	-1	6	16
CHESHIRE	11	16	7	20	16
KENT	-1	24	2	34	16
THAMES VALLEY	3	23	1	26	16
WEST YORKSHIRE	4	25	2	25	16
GWENT	1	25	4	22	15
MERSEYSIDE	11	2	5	7	15
NORFOLK	18	22	-8	17	15
NORTH YORKSHIRE	15	29	3	11	15
SOUTH YORKSHIRE	9	14	4	17	15
WEST MERCA	13	20	-1	18	15
CAMBRIDGESHIRE	12	21	-4	31	14
DORSET	9	20	5	8	14
DYFED-POWYS	8	17	6	25	14
ESSEX	5	24	0	13	14
GLOUCESTERSHIRE	-35	20	0	32	14
HERTFORDSHIRE	-1	11	2	20	14
LEICESTERSHIRE	1	33	6	23	14
WARWICKSHIRE	3	30	7	23	14
AVON & SOMERSET	6	27	-8	21	13
SUFFOLK	7	18	13	6	13
SUSSEX	-4	26	5	18	13
DERBYSHIRE	1	24	-6	25	12
DEVON & CORNWALL	2	20	8	17	12
WILTSHIRE	8	21	5	17	12
SURREY	7	26	-5	18	11
CITY OF LONDON	9	0	-3	7	6
METROPOLITAN	7	10	0	11	5.5

Key:

A: % change in total arrests

B: % increase in recorded crime

C: Average number of arrests per officer — obtained by dividing force establishment by number of arrests for year.

Source: Home Office

Some chief constables say league tables are too simplistic to evaluate performance properly. But others cite favourable statistics, such as average arrests and detections per officer, in order to present their case against structural reforms.

Fewer arrests contribute to the nationwide reduction in detected crimes, which leads to fewer prosecutions. The slump in the detection rate was identified by the *Independent* in a survey last month. Subsequently, some senior police officers pointed to increased arrests as evidence of greater efficiency, but the latest arrest figures show that the picture varies considerably between forces.

Much of the reduction in offenders reaching court is attributable to increased cautioning. This is occurring in spite of pledges by Mr Clarke to Conservative audiences that police will "catch and punish" criminals.

Formal cautioning — where offenders admit their crime — is promoted by the Home Office and supported by police, social workers and probation officers in an attempt to keep petty criminals, particularly juveniles, out of the criminal justice system and prevent reoffending.

Paul Cavadino, of the National Association for the Care and Re-

settlement of Offenders, welcomed the figures: "Most adults given a warning are likely to be deterred from committing another offence."

The figures, based on published and unpublished Home Office and police force totals, are for all arrests, including minor and traffic offences, which can account for one-third of the total. The Home Office refused to supply figures for recorded crime arrests only.

Full figures for 1992 are not yet available, but arrests dropped during the year in seven of 15 forces contacted by the *Independent*.

Geoffrey Pearson, Professor of Social Work at Goldsmith's College, south London, said the fall in arrests could be due to a reduction in information from the public because of lack of trust in the police.

"What we can see from these figures are the kind of bizarre regional variations found throughout the criminal justice system. It is very odd that Nottinghamshire seems to come out top in these kinds of tables — it also has more violent crimes per head of population than anywhere else. I reject the suggestion that the very size of London makes it more difficult for the police to use the solidity of

communities to help solve crime. There are some very stable communities in London."

Almost every one of the 17 forces which saw a significant rise in arrests during 1991 also saw a drop in the primary clear-up rate — the numbers of crimes solved by charge or cautions. Barry Irving, director of the Police Foundation, the independent research body, has speculated that this suggests forces are "highly active, but less effective" because suspects are not being brought to court.

But the gap between arrests and charges also supports the arguments of many in the police that the Police and Criminal Evidence Act restricts their effectiveness and that increased pre-trial proce-

dures and new rules on disclosure inhibit officers from making a charge unless they are convinced that a conviction is likely.

Richard Wells, Chief Constable of South Yorkshire, last week warned his police authority that the effect of disclosure rules on the time of officers was "immense and wide-reaching". Mr Hoddinott said forces supported such changes, but the public had to recognise the consequences for the use of police resources.

More questions than answers after appeal victory

AN award-winning cop was placed at the centre of the framing of three men and a woman who had their convictions quashed at the Court of Appeal recently.

The appeals of Everard Brown, Dennis Tulloch, Rennie Kingsley and mother of three Ida Oderine were allowed after the Crown Prosecution Service conceded that evidence in their cases from police officers suspended and under investigation in Scotland Yard's Operation Jackpot inquiry into alleged corruption at Stoke Newington police station was no longer reliable.

The four, whose cases were unrelated, were cleared from sentences ranging from four months to six years after convictions in separate trials at Snaresbrook Crown Court during 1991.

Mr Brown, Mr Tulloch and Mrs Oderine were freed last September pending their forthcoming appeals; Mr Kingsley had already served his sentence.

Allowing their appeals Lord Chief Justice Taylor, sitting with Mr Justice Henry and Mr Justice Blofield said their convictions must clearly be regarded as "unsafe and unsatisfactory".

In each of the four cases the Crown at the trials had relied exclusively, or predominantly, on police evidence.

In each case the defendant protested his or her innocence and asserted that incriminating evidence had been planted by the police.

After the conclusion of the cases further evidence came to light supporting protracted accusations of malpractice against Stoke Newington police officers made by local residents, particularly in the case of one officer involved in all four cases.

Lord Taylor said Mr Brown had been sentenced to six years after being convicted of possessing crack-cocaine with intent to supply.

The police allege that he had confessed to the charges but Mr Brown had insisted this 'confession' was fabricated. Two officers in his case are now suspended.

Mr Tulloch, an unemployed decorator, was jailed for four years for possessing cocaine with intent to supply. Three officers, two of whom are now suspended, claimed to have found cocaine on him.

Mrs Oderine was jailed for four years in August 1991 for allegedly possessing heroin

with intent to supply after police raided her home in Hackney, east London. Lord Taylor said the evidence from the three officers involved, now under suspension or investigation, was clearly unreliable.

Mr Kingsley served a four month sentence from July 1991 for possession of cocaine and LSD after police officers with a search warrant broke into his home with a sledge hammer after alleging entry was refused.

Mr Kingsley's conviction rested on the evidence of Det Cons Ray Lewandowski, since jailed for theft, and two officers suspended for their alleged involvement in the corruption believed to have taken hold of Stoke Newington police like cancer.

Mr Kenneth Aylett, counsel for the Crown, said that the convictions against the appellants seemed unsustainable, in the light of material gathered during Operation Jackpot, the most wide-ranging corruption investigation within the Metropolitan police force in the past 20 years.

The Crown continued to oppose an appeal by Ms Eula Carter, serving four years for alleged possession of crack-cocaine with intent to

supply. Her case was adjourned.

After the quashing of her conviction and those of her three fellow appellants Mrs Oderine

said she intended to seek civil action damages against the Metropolitan police.

"There are many things that still have not

come to light about my case but I am glad that justice has now been done and I am out of prison and back with my children, who are 15, 13 and three years-old,"

she said. "My youngest was only a few months old when I went to prison and I am only now getting to know her," she added.

CARIBBEAN TIMES

16-3-93

Commendations for murder squad

PAINSTAKING police work trapped the killer of a Lower Clapton shopkeeper after he and his accomplice fled dropping their hats.

Baldev Hoondle, 48, was gunned down when he tackled two robbers who tried to hold up his off licence in Lower Clapton Road in 1990.

The hats and a description by the victim's son were the only clues detectives had to go on.

But it was the dogged determination and persistence of the murder squad in tracing the origin of one of the distinctive baseball caps which helped trap the murderers.

The team of detectives and police officers - many drawn from Hackney police station - received commendations from East London's top cop, Deputy Assistant Commissioner Michael Taylor, at a special ceremony at the Metropolitan Police Sports and Social Club in Chigwell, Essex.

During the murder investigation, enquiries revealed the distinctive black "British Knights" baseball cap was one of only 1,200 imported into the country.

Police concentrated on retail outlets in east London which led them to a shop in Stratford.

It provided police with the evidence to arrest a suspect, but he refused to name his accomplice.

The murder squad later obtained evidence which led to the arrest of a second suspect, who, by then, was already serving a prison sentence for other offences.

Twenty-one-year-old Oliver Campbell, from Stratford, was jailed for life at the Old Bailey. His accomplice, Eric Samuels, 27, of Downs Road, Lower Clapton, who was jailed for five years for conspiracy to rob, was cleared of murder.

Det Supt Harry Wilkins was commended for his "detective ability and leadership" in what DAC Taylor described as a "difficult case."

Also commended were Det Sgt Thomas Murray, Det Con Graham Hickson, Det Con Paul Bourne, Det Con Neil Vowden, Det Con Timothy Wells, Det Con John Kathro, Pc Valerie Johnson, Pc Simon Dobinson and Pc Gene Noel.



● Pc Gene Noel, who is attached to the crimedesk at Hackney police station, receives her commendation from DAC Michael Taylor.

'Racists out' blitz in BNP stronghold

HOXTON, one of the traditional strongholds of ultra-right-wing groups like the National Front and the British National Party, was the target of a massive "racists out" blitz last weekend.

The growth of right-wing groups in the East End, as well as all over Europe, has led to the reformation of the Anti-Nazi League, who organised Saturday's *No Nazis in Hoxton* campaign.

The National Front polled their largest ever UK vote in Hoxton in 1979 and their successors, the British National Party, polled more than 20 per cent of the vote in a council by-election on the Isle of Dogs last year.

The BNP have stepped up activity in Hoxton. They stood in Tower Hamlets in the last Town Hall elections and they say they will be putting up candidates in Hackney when the elections come round again in May, 1994.

Hoxton Market was the

target of the ANL on Saturday. They managed to get 125 shoppers and stallholders to sign their petition condemning the BNP's führer, John Tyndall, who says that Hitler's Nazi bible, *Mein Kampf*, is his doctrine.

Matt Foot, of Hoxton ANL, said: "Hoxton is a multi-racial area and Nazis must not be allowed to come and intimidate people. The petition said we don't want Nazis in Hoxton and was well supported by local residents and stallholders in the market."

● Hackney MPs Brian Sedgemore and Diane Abbott and Euro MP Alf Lomas were in Well Street handing out leaflets warning of the dangers of racism.

Police called to party punch-up

A **KURDISH** New Year Party for 1,000 revellers turned into a mass punch-up after a CS gas canister and fire extinguishers were set off when gatecrashers tried to get in.

City Road cops arrived at Shoreditch Town Hall assembly rooms on Sunday evening to find a crowd of between 400 and 500 people fighting.

It was alleged that a deadly Kalashnikov assault rifle was brandished during

the punch-up. Scotland Yard said the building was cleared, a search was carried out and no weapon was found.

Four men were arrested for public order offences. One of them, a 34-year-old man, was later charged with affray.

Hackney Council says the Town Hall was hired by the Kurdish Advice Centre. One glass panel was smashed. A council spokesperson said the hirers stood to lose their £150 damage deposit.

HG
19.3.93

DPP gets new file on police station

Duncan Campbell
Crime Correspondent

A DOSSIER containing allegations of malpractice in 19 cases involving a north London police station under investigation for corruption has been handed to the Director of Public Prosecutions.

The Guardian understands that more than 30 police officers are named in the cases.

The dossier arises from the wide-ranging Operation Jackpot inquiry into Stoke Newington police station. Last December, a dossier containing around 25 names of police officers was handed to the DPP.

A spokeswoman for the Crown Prosecution Service said that no decisions regarding prosecutions have yet been made.

The inquiry, which started in 1991, was hoped to end last summer.

It has been investigating alle-

gations of involvement in drugs, perjury, falsification of evidence, and conspiracy to pervert the course of justice.

Only a few of those whose names have been passed to the DPP are likely to face charges and serious disciplinary proceedings.

One officer has been jailed for 18 months, three suspended, eight transferred, and one has committed suicide. His colleagues deny that his death was in any way connected with the inquiry.

Four people convicted of drug dealing in separate cases over the past four years, Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown, were cleared at the Court of Appeal on March 2.

Last month, Francis Hart and James Blake were cleared of a manslaughter conviction after it had emerged that the exhibits officer in their case was Detective Constable Roy Lewandowski.

Mr Lewandowski is serving

an 18 month jail sentence for stealing property from the home of David Berman, the man Mr Hart and Mr Blake were alleged to have killed.

The Lord Chief Justice, Lord Taylor, who has been hearing the Stoke Newington appeals, described Mr Lewandowski's evidence as "rotten".

The Crown Prosecution Service have offered no evidence in a further 17 disputed cases, and there have been 17 acquittals in cases involving named officers from Stoke Newington.

Twelve civil actions against the police are either in progress or being considered.

The Hackney Community Defence Association, which has campaigned on behalf of those arrested in controversial cases in the area, now claim that 13 officers have been involved in malpractice.

The association says that it believes there is a danger that the Lewandowski case will be the main focus, and that other officers will escape prosecution.

GUARDIAN

24.3.93

Paperwork deters police from arrests

Alan Travis
Home Affairs Editor

POLICE officers are warning offenders instead of making arrests because of the amount of paperwork involved, the Metropolitan Police Commissioner, Paul Condon, said yesterday.

He told the Commons home affairs select committee that officers throughout the country felt "under siege" and were increasingly anxious about the time they had to spend on the paperwork demanded by the criminal justice system.

"Even a basic arrest takes several hours to process the paperwork, and you should not be surprised that policemen are using their discretion and giving informal warnings when in the past they have arrested offenders," he told MPs.

Mr Condon said recorded crime in London rose by 2 per cent last year — the smallest increase for many years — and the figures for notifiable offences committed in January and February this year were 4 per cent down on the same period last year.

He said the criminal justice system was unable to deal with the small minority of professional criminals or with persistent young offenders.

The commissioner joined the growing clamour for the Home Secretary to scrap section 29 of the new Criminal Justice Act, which prevents previous convictions being taken into account when sentencing for minor offences.

"It hasn't worked, it is not in the public interest and I think it needs to be re-examined."

The legislation was conceived in haste in the face of concerns that the prison population was rising dramatically, he said.

He also complained that judges had not caught up with the change in police culture which meant that young officers who had been on a raid were no longer allowed to collude on compiling notes, with the result that their accounts differed slightly in court.

"There has been a dramatic increase in judge-directed acquittals involving challenges to police evidence. The fact that police officers give different evidence in court is a sign of honesty, not dishonesty."

The commissioner hoped the Royal Commission on Criminal Justice would look at the "ludicrous rules" on the disclosure of evidence which meant that cases against professional criminals were being abandoned for fear of exposing informants.

Mr Condon confirmed that many forces had inflated their figures for clearing up crime by relying on convicted prisoners confessing to other offences. One confessed to 1,500 offences after being visited in prison by West Midlands officers.

"There was an over-reliance on prison visits to get secondary clear-ups to boost their performance," he said, but added that many chief constables had now taken "the courageous decision" to stop such practices.

In the Met less than 2 per cent in the clear-up figures was attributable to prison visits, compared with 11 per cent nationally. Mr Condon predicted that many police force clear-up rates would fall to a level closer to the Met's 18 per cent as a result of the change.

Guardian

25.3-93

Crackdown puts paid to all-night parties

COPS and council officers swooped to switch off two illegal pay parties that had threatened to cause hours of misery for hundreds of Hackney tenants.

An illegal party in Ickburgh Road, Upper Clapton, was cancelled last weekend after a team from Stoke Newington police and Hackney Council's environmental health officers turned up with a magistrates' warrant threatening the organiser with a £20,000 fine and confiscation of his sound equipment.

by MARK GOULD

Two weeks ago an all-night pay party planned for the 10th floor of a Hackney tower block was called off by using the same tactics.

The flat in Rathbone Point on the Nightingale Estate was raided after posters were circulated advertising an all-night rave.

The Nightingale Estate crackdown was the first time a magistrates' warrant had been obtained.

Council bosses say it is a warning for a get-tough campaign against party noise nuisance, violence and mess.

Council officers told the tenant of one flat that his sound system would be confiscated and he could face a £20,000 fine, and even eviction, for breaching his tenancy conditions if the party went ahead.

The Nightingale has always been a popular venue for illegal pay parties.

Hired out

Last year it was alleged that squatters were hiring flats out for parties that took up whole landings and lasted all night.

Cllr Brian Marsh, chair of the council's environmental services committee, said: "This is an excellent example of joint council-police co-operation protecting tenants from considerable noise nuisance."

"As summer approaches, this is a warning to people who hold unacceptably loud parties that we will use whatever powers we have to control them."

Considerate

"Everyone surely agrees that people should act responsibly and with consideration for their neighbours, or face the consequences."

Inspector David Baff, of Stoke Newington police, pleased with the operation, said that anyone wishing to hold a legal party should get in touch with him on 071-488 5212.

He can offer advice about arranging a suitable venue and sorting out safe-

Police cars in double smash



TWO cop cars were involved in a freak double pile-up that injured 11 people.

One cop suffered head injuries and is in a stable condition. Miraculously, nobody was killed in the four-car crash on the Lea Bridge Road on Monday morning.

The first crash happened when a BMW, with four passengers, was in collision with another BMW, with one occupant, near the Greyhound pub at just after 4am.

A Scotland Yard spokesperson said a police Panda car on routine patrol from Leyton saw the accident and stopped to help the injured.

Pc John Knowles had gone back to the car to radio for help when it was hit by an area car from Hackney police station answering a separate 999 call. Pc Knowles suffered head injuries as the impact of the crash caved in the roof of the Panda.

Pc Gareth Jones, from Hack-

ney, who was driving the area car, suffered cuts and bruises. His partner, Pc Trevor White, was thought to have broken his pelvis, but was released from hospital on Tuesday, along with Pc Jones.

The second Leyton officer, Pc Mark Jenkinson, was cut as he tried to help the injured men.

Commuter traffic on one of the main routes into London was badly snarled up for more than four hours after the accident.

PHOTO: CHRIS ALLEN

New reports go to DPP in police corruption inquiry

THE 15th report into allegations of corruption, bribery and malpractice at Stoke Newington police station was handed over to the Director of Public Prosecutions yesterday (Thursday) as the Gazette went to press.

More reports will follow as the Operation Jackpot inquiry, started in 1991, stretches on much longer than expected.

Last November, Det Supt Ian Russell, the leader of Operation Jackpot, handed his first report containing the names of about 25 Stoke Newington cops to the DPP.

The Crown Prosecution Service, which acts as lawyers for the DPP, says no decision has been made to prosecute anyone named in the November dossier, but they do expect more reports.

The inquiry has resulted in Det Con Roy Lewandowski being jailed for 18 months and eight officers being transferred, three of whom were later suspen-

ded. One former Stoke Newington officer killed himself. Officers deny it had anything to do with the probe.

The CPS has offered no evidence in 17 cases brought by Stoke Newington cops and there have been 17 acquittals due to the tainted evidence of officers named in the Jackpot inquiry.

Earlier this month, four people convicted of separate drug offences on evidence from Stoke Newington cops were freed by the Court of Appeal.

Last month two men, Francis Hart and James Blake, were cleared of the manslaughter of David Berman, from Lower Clapton, when it was found Lewandowski had planted evidence incriminating them.

HG
26.3.93

Police discipline process updated

Alan Travis
Home Affairs Editor

NEW disciplinary procedures for the police, designed to end the inflexible 100-year-old military "court martial" approach within the force, were unveiled yesterday as part of the Home Secretary, Kenneth Clarke's police shake-up.

The Home Office proposes to introduce a two-tier system for dealing with complaints against officers.

The first, covering serious cases of misconduct, will continue to be determined by the Police Complaints Authority. But a new procedure is to be introduced to deal with cases of unsatisfactory performance.

Officers who fail to meet expected standards of competence will in future face an internal management disciplinary procedure, with access to industrial tribunals, in appeals against dismissal.

"It is wrong that an officer who is late for work has to face the same procedure as another who is accused of serious misconduct, such as assaulting a suspect," Mr Clarke said.

"It is also very wrong that serious disciplinary inquiries can sometimes take years to be determined, causing stress to the suspended police officer and frustration to the complainant."

The Home Office proposals put forward yesterday are to be included in a police bill to go before Parliament this autumn,

covering a shake-up of the internal structure of the police and the amalgamation of some forces.

The Home Office discussion document, published yesterday, proposes:

- Unsatisfactory performance to be dealt with internally as part of the normal personnel management process;

- Chief constables to be given a new right of instant dismissal in extreme cases of discreditable conduct;

- Police officers to be required to resign, and if necessary, to be dismissed, for a pattern of unsatisfactory behaviour;

- A "significant public interest" test to be applied in deciding which cases should go to the Police Complaints Authority and which should be decided internally.

The Home Office consultation document says that the present system lacks flexibility, and offers no way of dealing with honest mistakes, lapses of memory, work-shyness, low standards, and minor corner-cutting, which make up the bulk of staff problems.

The document also proposes to end the ban on police officers who are acquitted in court of a criminal offence facing disciplinary proceedings for the same matter. Indeed, it proposes to empower chief constables to dismiss such officers before the case comes to court.

Alan Eastwood, Police Federation chairman, said yesterday that if the proposals were implemented, officers would demand trade union rights.

Gumlogan

51.3.93

Give us an E,

On 2nd March '93 four people imprisoned on fitted-up drug possession charges were cleared on appeal, after extensive campaigning by Hackney Community Defence Association (HCDA). They are: Ida Oderinde, Rennie Kingsley, Dennis Tulloch and Everard Brown. (The case of Eula Carter was adjourned.) All four had been planted with drugs by Stoke Newington police in north London. All four are black; one woman and three men. They had been given sentences of between four and six years.

Moreover, these cases are just the tip of the iceberg. HCDA believes that since at least 1989 and probably before, around 13 police at Stoke Newington have been centrally involved in large-scale corruption in which they confiscated drugs from dealers in the area, sold them to their own protected street dealers and planted drugs to discredit anyone who appeared to stand in their way.

This little piggy went to market

HCDA has identified four elements of police organised crime:

1. **Seizure of drugs and money from dealers on the streets.** Either no arrest is made, or dealers are released on bail and then return to the sta-

tion to find no charges are being made.

2. **Supplying street-level dealers with drugs.** Police use the informer system to cover their relationships with dealers. They have even been known to wear wigs and disguises to protect themselves when working with dealers!

3. **Running a protection from prosecution racket.** Dealers have had to pay police in order to escape arrest. Officers have tipped off their contacts when police operations have been ordered.

4. **Planting drugs and fabrication evidence,** for instance by false allegations of violence. This has been done either to dealers who are an obstacle to the police's monopoly of the drugs market, or to people who they fear may know too much or who refuse to become informers.

HCDA knows of forty cases where victims have made allegations of wrong-doing by Stoke Newington police in drugs cases and there may be many more. But not a single officer has stood trial for their frame-ups. Corrupt cops continue to work in the same area and whilst some are transferred, others fill their places to continue the same activities.

It's not a fair cop

Scotland Yard is carrying out a corruption inquiry, Operation Jackpot, but this is not a criminal investigation and its findings may stay behind closed doors. So far, only one cop has been jailed - Roy Lewandowski is serving 18 months for stealing possessions from the house of a manslaughter victim. Three others are suspended on full pay and one, Gerrard Carroll, shot himself during the police inquiry.

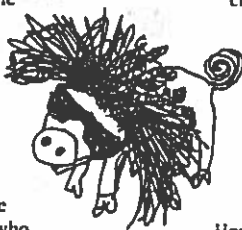
Pigs in clover

Of course the reason for this is that police do not just 'serve the law' as they would have us believe - they are the law. Hackney is the poorest borough in England. Police have taken advantage of poverty and deprivation to exploit a ready drugs market. But unlike other people who take to dealing as a route out of dead-end-poverty, the police can do so without risks: they are immune. In court, their word is law except in the most ludicrous cases of fabrication. On the streets, in the cells, they

can do what they like. And even if they get caught, they will face an internal and not a criminal inquiry, as police protect their own.

Combine this with the state racism which backs the police, viewing all Black people as inherent criminals, and you have a recipe for disaster. Even in a borough like Hackney, in which 30% are people of colour, Black people are arrested and charged by all-white police and their cases heard in an all-white court, if "heard" is the word. Just like the many Irish people who have served vicious sentences simply for being Irish in the wrong place at the wrong

time, they don't stand a chance. If it wasn't for the work of HCDA (almost never acknowledged by the media) these four people would still be in prison.



Here we reprint the account of Ida Oderinde, one of the four cleared last month, of the nightmare of her frame-up, conviction and false imprisonment. It is taken from the booklet *Fighting the Lawmen*, produced by HCDA.

charge room, the sergeant was sitting in his chair, behind his desk, typewriter in front of him and loads of papers on one side of him. On the other side of the desk were scales, cling film and a roll of foil which they had taken from my kitchen. There was also the bag with their drugs in it.

The sergeant took the self sealing bag out of the carrier bag and placed it on my own scales in front of me. It weighed 28 grammes. But, by the time we got to court they said it was 12 grammes.

I was interviewed that same evening and charged with possession of heroin with intent to supply. I was taken to Highbury Corner Magistrates Court the following morning. My solicitor and I were shocked that I was given unconditional bail.

The solicitors

When I got the police's statements I sat down and read them with my solicitor. When we had finished reading them I told him they were all lies and gave him details of the case. Before I had finished he said, "But that is not what they said happened." I told him I knew that, and I didn't exactly expect them to be truthful.

"With what they are saying, you are going to get convicted." Well, that put me off him. I decided not to tell him any more, I needed a new solicitor, or he'd be helping the police bury me alive, so I left his office.

I got myself a new solicitor. At first I thought he was alright. But as I went on talking, I got the feeling he didn't believe me. I didn't know what to do, but I knew I needed a solicitor.

On the day of my trial I got to court to find my barrister had been changed. The man that was standing in front of me, who was going to represent me, I had never seen before in my life. When we talked about my case in the canteen he said that my story was very heavy to put to the court.

At that point I screamed at him. I told him I'm not going to tell lies. I was very mad with him and he left me to calm down. Meanwhile, my solicitor told me he had changed my barrister because this one was better than the one I met before.

The court case

By the time the jury had been sworn in on the first day in court, I fell asleep. I was just too tired. I was suffering from depression and my daughter was keeping me awake at night because of her teething. The judge adjourned the case until the next day so I could get some sleep. But I could not sleep at home, I spent the whole night rocking my daughter and crying.

The next morning in court the officers were giving their evidence. I fell asleep again, but this time they let me get on with it. I woke up to find that they had finished for the day.

Ida Oderinde's story

One day I was at my friend's house on The Line. She was a drugs dealer. I was sitting in the kitchen talking to her when the door bell rang. She went to the door and I could hear them talking in the hall. I heard a radio. I thought I was hearing things so I opened the kitchen door a little bit. I was shocked to see two detectives from Stoke Newington. One of them put his hand in his pocket and produced a plastic bag and handed it to my friend. Inside the bag was crack cocaine in half gramme rocks wrapped up in foil. I got frightened at this point. I opened the back door and ran out, and the officers saw me.

The frame-up

must have been just after six in the evening

bad attitude

when I left my house leaving the children with the baby sitter. A short time later I drove past my house and saw quite a lot of men there. I got out of the car and walked towards them. I recognised them as police officers and one of them told me to go in the house.

My God! If you could have seen the place. They had messed up and searched the house. And found nothing. I asked them for the warrant that gave them the right to mash up my things. It was to search for stolen cheque books and cards.

They told me to go into the sitting room where my two boys and daughter, who was only five weeks old at the time, and my baby sitter were, with several police officers. Two of the officers left the room and said they were going to finish the search. I knew something was very wrong. I got up to see what

they were up to but they were going to cuff me, so I just sat there, helpless.

One of them walked back in with an ordinary carrier bag in his hand, behind him was the other one. We all knew the carrier bag did not belong in my house. My mind went at that moment; I was in a daze. I came back to reality when I heard my baby sitter ask where did he get it from, and he said in the old freezer where we kept our house keys. She called him a liar.

He opened the carrier bag and produced three self-sealing bags, three of which were empty and one was full to bursting. They asked me what it was and I told them I did not know, it was not mine, it was their own and they had planted it, wherever they had got it from.

At Stoke Newington police station, in the

bobby



Ida Oderinde, Rennie Kingsley and Dennis Tulloch outside the appeal court after their convictions were quashed

The following morning I took in a flask full of black coffee. But it didn't work for long. I finished the whole flask and started feeling sleepy. The police basically kept to their story. But under cross examination they contradicted one another. One even asked to be cautioned by the judge so that he couldn't say anything that would implicate himself!

After the police gave their evidence my eldest son and baby sitter went into the witness box. My drug dealer friend, who was on remand in Holloway at the time, had made a statement and wanted to give evidence on my behalf. She turned up at court on three days, but for some reason she was not called.

I gave evidence last. I told everything as it happened. Guess what? They didn't believe me, my baby sitter or my son. I was found guilty.

When the judge sentenced me to four years in prison he said he didn't believe a word I had said and he hoped my guilty conscience would kill me. Well, I was gobsmacked. I opened my mouth to abuse him, but nothing came out. I was in shock.

That was the court case. Now comes the battle in prison.

In prison

At the beginning I was still in shock. I wasn't myself, I was full of anger, hate, pain and frustration. I cried a lot. I couldn't eat or drink. I was very depressed and had headaches 24 hours a day, seven days a week. Things kept going round in my head. I knew I needed help but I didn't know where to start.

I was frightened of blue and white uniforms. I hated them all and was very angry with every one of them.

After about three weeks in Holloway a prison officer spoke to me. She said she remembered the day I was sentenced and she believed I was innocent. She told me that I should fight them, that there is corruption everywhere and I should not waste any time. I couldn't believe it coming from her. But it helped me a great deal, at last somebody believed me. There and then I decided I was going to fight the lawmen who had me locked up.

I booked some letters and spoke to my probation officer. He gave me even more confidence, he believed every word I said. I wrote a few letters that night - to my probation officer, to John Major, to my MP, and to Justice. I also wrote one to Scotland Yard.

I have seen many people planted by the police on Sandringham Road. I have seen many people battered, and I know many people are in prison for something they have not done. I just thought, poor man, poor woman, what they are going through must be horrible. Horrible is not the word. I am in that situation now, and my God it is so painful. I have feelings I cannot explain: anger, hate, frustration, pain, all mixed together, and at the same time I am terrified.

I cannot explain it, but I know it is so bad it is driving me mad. In fact, it very nearly did drive me mad for real. I was frightened that the police would come to plant me with drugs again. I became convinced that the prison officers were the police. When I heard their keys I would hide under my bed. They'd come into my cell and I'd refuse to come out, crying and screaming, "It's not mine. You put it there." They would ask me, "Put what where?" I'd tell them, "Drugs." The first time I did this the idiots put me in a straight jacket and turned my room upside down looking for drugs. That made me worse. I was frightened of them so I hid under my bed all the time.

I almost lost my sanity with the medication they gave me to calm me down. For months I was like a zombie. A friend of mine in prison brought me back to my senses by showing me pictures of my children. She told me I couldn't go mental, I had to think of my children.

It was early one morning in November 1991 when Scotland Yard came to visit me at

Cookham Wood prison. They took a full statement from me. They started with my personal details and went on to talk about what I knew about the police in Hackney and Stoke Newington. I told them about what I had seen at my friend's house on the Line.

I even told them about the time, one December, when Stoke Newington police raided her. Some of the drug squad officers told her about the raid and told her to get out of the country for a while. She had only been gone a couple of hours when they raided. Everybody on The Line was laughing at the police and calling them names. They got so angry they started beating people up. And, of course, somebody had to pay for it, so some guys got stitched up.

Everybody knew she was selling drugs. She did it in broad daylight, in front of Stoke Newington police officers.

I was with them for the whole day, we finished the statement just before 4.00pm. They believed what I told them, mainly because most of the things I told them they already knew. The Scotland Yard men told me they knew what was going on in Stoke Newington and they had been trying for years to prosecute some officers. But the officers had slipped through their hands due to lack of evidence and witnesses. I was asked if I would give evidence against the officers. "You bet your life I will," I replied.

The following day my probation officer phoned me. He told me that Scotland Yard

had contacted him to say that they believed me. The same officers had been involved for years, and Scotland Yard was conducting investigation called Operation Jackpot.

First refusal of appeal

In December 1991 the Court of Appeal to me that I had been refused leave to appeal was back to square one, let down again by British justice. I know that the police officers are under investigation and they have been transferred to other stations. But that is not much good to me, unless they are suspended. I haven't got grounds for an appeal. I have been in prison for nine months now, and am waiting.

The whole thing has affected my children desperately. They find it hard to accept what has happened. Although I don't need convincing, my children keep telling me that they cleaned out the freezer when I was out there one evening, looking for keys, and there was nothing there. They can't understand why the jury didn't believe us.

Ida served 13 months in prison and having won her appeal is now applying for leave from the Home Office to bring a civil action against the police.

Fighting the lawmen is available, price £4 from HADA, Colin Reach Centre, 10 Bradbury Street, Dalston, London N16 7JN, tel 071 249 0193.

Bogus immigration laws BOG OFF!

The racist Asylum Bill is now law. As detailed in *Bad Attitude* 1 it means that:

- No visitors to the UK have any rights of appeal if denied access.
- Refugees are criminalised by enforced fingerprints and photographs, even of children. This will be kept on file for 10 years, until having done time as a 'good citizen'.
- Local authorities are not legally required to house refugees - effectively made second class citizens. If they do, it must not be permanent or secure tenancy.
- Airlines will be heavily fined for bringing refugees without proper documentation. This basically means airline officials will act as immigration officers. This breaks the United Nations Convention on refugees which says that asylum seekers should not be penalised for arriving without proper papers.
- A new two tier appeal procedure which refuses supposedly "manifestly unfounded" cases any appeal chances. While someone with £300,000 can sail through Heathrow without being challenged no matter where s/he comes from.
- The one year ruling particularly affects women because wives have to stay with husbands for at least one year, even if he becomes physically threatening. Resulting

situations range from violence to effective prostitution.

All of these refugee laws particularly affect poor Black women who have least money and power. Britain is leading the way in European discussion to 'harmonise' asylum policies and create a Fortress Europe. Legislation such as this is easily used to legitimate and further generate racism, resulting physical attacks and deaths of refugees at Black communities in general. When in fact Britain has one of the strictest entrance visa systems in force.

Seeing that most refugees are escaping economic and social crises in their countries of origin imposed by the West, to close the gate in their faces is all part of furthering institutionalised racism.

Seeking asylum is a right not a privilege!

For further information contact:
RAHCAR (Refugee Ad-hoc Committee for Asylum Rights), 365 Brixton Road, London SW9 7DB. Tel: 071 738 6408
JCWI (Joint Council for the Welfare of Immigrants), 115 Old Street, London EC1 9JR. Advice line on: 071 251 8706
Immigration Law Practitioners Association can give you local contacts on 071 21671

bad attitude

Racist frame-up

Stoke Newington police: guilty!

"There are police officers upon whom suspicion has fallen as to their reliability in any evidence they may have given in court".

Who said that? Kenneth Aylett, lawyer for the State at the Court of Appeal hearing for Ida Oderinde, Dennis Tulloch, Everard Brown and Rennie Kingsley. The four had their convictions for drugs offences quashed by the Court of Appeal on Monday 1 March, after the State explicitly accepted that evidence given by officers from Stoke Newington police station in Hackney, East London was unsafe and unreliable.

This incredible admission, writes Mark Osborn, comes, in part, after a Scotland Yard inquiry — *Operation Jackpot* — into corruption, planting drugs and drug dealing by Stoke Newington police.

HACKNEY COMMUNITY Defence Association (HCDA) believes that there are now up to 25 officers under investigation. HCDA believes that there are serious questions to be asked about at least

13 officers whose names they have published.

So far eight officers have been transferred; five have been suspended; one, Gerrard Carroll, shot himself dead; and Roy Lewandowski is serving 18 months for theft.

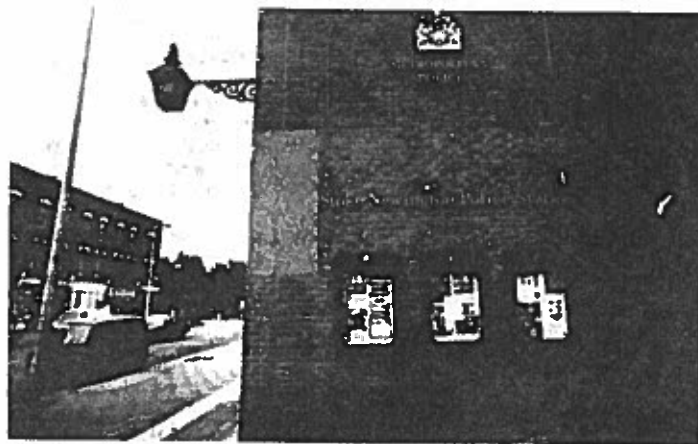
Two weeks ago the Court of Appeal quashed the convictions of two men for manslaughter on the grounds that Lewandowski had planted evidence on them which had been stolen from the house of a dead man.

HCDA knows of 76 cases, between December 1988 and the present day, involving allegations of corruption against Stoke Newington police. 64 people have been charged with criminal offences. In 17 cases no evidence was offered by the Crown Prosecution Service, and 17 people have been acquitted.

Of the other cases, four are waiting appeal, and seven have been referred to the Court of Appeal. HCDA believes that a further eight cases need investigation.

HCDA estimates that 90% of those involved in these cases are black people. Many of the cases involve allegations of police officers planting drugs.

HCDA is particularly concerned with three



Stoke Newington police station

drug offence cases now waiting to be referred to the Court of Appeal: Danny Bailey, who is serving three and a half years; Hugh Prince, who has been released after serving one month of a two month sentence for possession; and Winston Thompson, who served 11 months of a 30 month sentence.

HCDA's conclusion is that so many officers have been involved that senior officers must be either utterly incompetent or aware of widespread corruption and willing to condone it.

HCDA knows of four sorts of police involvement in organised crime:

- The seizure of drugs and money from dealers stopped on the streets, and then released without trial;
- The supplying of drugs to street dealers;

- The running of protection for a prostitution racket;
- The planting of drugs and the fabrication of evidence against people who get in their way.

There has been a long history of police violence and racism in Hackney. Colin Roach died in the foyer of Stoke Newington police station on 12 January 1983. On 8 January 1987 Trevor Monerville had to have emergency brain surgery after spending one week in Stoke Newington Station. On 25 June 1987, Tunay Hassan died in custody in nearby Dalston police station. Aseta Sims died in Stoke Newington police station in 1971, as her daughter Pamela describes on the facing page.

It is time for the violence, framings and police racism to stop!

The racist facts of life

- 18,000 people — or 22% — were unemployed in Hackney in April 1992.

- Over half of the people living in Hackney are members of non-white ethnic groups. Unemployment among such

groups is disproportionately high.

- Out of 48,072 council properties in 1988 over one quarter were considered to be in an unsatisfactory state. A 1982 report for the Commission for Racial Equality found that black applicants for housing received poorer accommodation than white people. The Commission served a Non-Discrimination Notice on Hackney Council in 1983.

Rennie Kingsley: innocent!

Rennie Kingsley served two months for possession of cocaine and LSD. The drugs were planted by the police. Rennie says "I am very bitter, angry and disappointed that the system failed us."

I WAS BORN IN Jamaica on 28 January 1947. Like most people from the West Indies, I was brainwashed into believing that England was a marvellous place. The photographs we saw were nice and fancy, we didn't see the bird shit on the Houses of Parliament or anything like that.

In Jamaica we were taught to respect strangers. We were taught to look after them because they didn't know their way around. When we came to England it was the opposite.

I was 15 when I came here in 1962. I went to day school, and to night classes five evenings a week. After my mother found out that I had taken a couple of nights off she sent me to stay with my father.

My father wasn't an educated person and he didn't particularly care for me to receive an education. He thought I should go to work and earn my living the same way as he had to. So I ended up working on the assembly line at Fords for nearly five years.

During the 1976 Notting Hill riots a lot of innocent people who I knew were not involved in

drugs were arrested. The police even conspired to tell lies against my cousin, who I shared a flat with. The man didn't smoke and he only drank indoors, but they arrested him. He was lucky, he got off because he was working and his employers went to court as character witnesses.

I was aware of police corruption, but I thought they only fitted up people who were involved, not the totally innocent. It is like catching sprats in a net for them. It is enough that you are there to be caught, and not many of us have good character witnesses, as my cousin had.

When I first came to England, black people couldn't get council houses, and then we ended up in all the shitty houses and the tower blocks, all the homes white people were not prepared to live in. In the early-eighties, Hackney Council were giving black people hard-to-rent properties. I worked to set up a community project which provided housing for homeless black people, particularly ex-offenders. My reasoning was that there are all sorts of rehabilitation schemes for white people, but none for black people. Quite often we didn't even have a home to go to when released from prison.

In late 1989 one of the project's tenants offered me a partnership in an illegal drinking club. I learned that he was an informer who was paying police officers not to raid the club. On principle I didn't want anything to do with the proposal, and I distanced myself from the man.

He took my decision personally and started to make my position difficult at home and at work. I was concerned that police officers were behind all this and in early 1990 I reported the matter to Scotland Yard. I thought if I made a complaint the situation could be resolved.

I was surprised that Scotland Yard referred me to the Chief Superintendent at Stoke Newington and my next contact with the police was when they raided my home and planted me with cocaine and LSD.

When they knocked down my door I thought: Mafia. Like television, like something that happens in the United States. But this is not a dream, it is real and I am being handcuffed; people are going through my pockets; a piece of paper is produced and I am fitted up. Then a warrant card is produced and they take me to the police station. I complain to the person who is supposed to be in charge and he tells me that he will write it in the book.

In some ways I am glad that they fitted up so many people that the whole thing got out of hand. Otherwise nobody would bother to listen to me, nobody would believe me, I would be just another black criminal.

It hurts that they should have bothered to do this to me, a person who was not doing anything.

Over 50% of the people living in Hackney are "ethnic minorities" but the seven officers who raided my home were white, my prosecutors were

white and even my so-called defence were all white, and, of course, the judge was white.

We are being misled, there will not be any justice. They will put something together which will hide the level of corruption. These people are not trying to find out the truth. They are more concerned about how many people know it is going on, than about how many officers are involved and how far up it goes.

Whether it is the police who are organising the drugs trade, or not, black people are at the bottom. Black people are the users and the street level dealers.

Black people are almost forced to do things to compensate. We cannot afford to maintain our kids and we are looked down on by other people because we are not smart enough, because we are not "making the effort". I think of my kids, will I ever be able to do anything for them? Can I ensure that they don't go through the same shit I've lived through?

Justice is a dream. It seemed that things were going to change at one time. There was Martin Luther King on the one hand, who was a Christian, and there was Malcolm X, who was a rebel. One was saying, "if they kick you, don't fight back, they can't kick you forever, allow them to, they will have to have mercy at some stage." And the other man was saying, "if they kick you, kick his arse back." They killed both of them, they shot them dead.

ops in Hackney

Ida Oderinde: innocent!

ONE DAY I was at my friend's house on The Line (Sandringham Road in Stoke Newington). She was a drugs dealer. I was sitting in the kitchen talking to her when the door bell rang.

She went to the door and I could hear them talking in the hall. I heard a radio. I thought I was hearing things so I opened the kitchen door a little bit. I was shocked to see two detectives from Stoke Newington. One of them put his hand in his pocket and produced a plastic bag and handed it to my friend. Inside the bag was crack cocaine in half gramme rocks wrapped up in foil. I got frightened at this point. I opened the back door and ran out. And the officers saw me.

It must have been just after six in the evening when I left my house, leaving the children with the baby sitter. A short time later I drove past my house and saw police there.

They had messed up and searched the house. And found nothing.

They told me to go into the sitting room where my two boys, my daughter, who was only five weeks old at the time, and my baby-sitter were, with several police officers. Two of the officers left the room and one of them walked back in with a carrier bag in his hand. We all knew the carrier bag did not belong in my house. My mind went at that moment; I was in a daze.

He opened the carrier bag and produced four self-sealing bags, three of which were empty and one was full to bursting. They asked

me what it was and I told them I did not know, it was not mine. They had planted it.

I was charged with possession of heroin with intent to supply.

I told my solicitor the police statements were all lies and gave him details of the case. Before I had finished he said, "But that is not what they said happened."

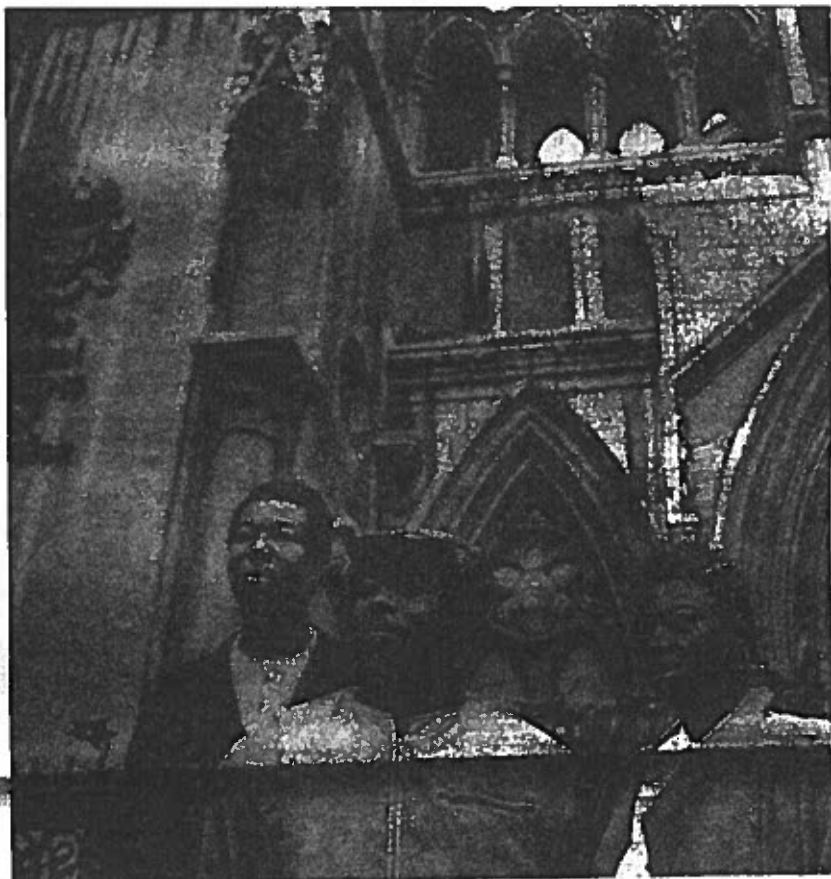
"With what they are saying, you are going to get convicted." Well, that put me off him. I decided not to tell him any more, I needed a new solicitor, or he'd be helping the police bury me alive.

The next morning in court the

"The police kept to their story. One even asked to be cautioned by the judge so that he couldn't say anything that would implicate himself!"

The police basically kept to their story. But under cross examination they contradicted one another. One even asked to be cautioned by the judge so that he couldn't say anything that would implicate himself!

My eldest son and my baby-sitter went into the witness box. My



Dennis Tulloch, Rennie Kingsley, Ida Oderinde — railroaded to jail by Hackney's racist police

drug dealer friend, who was on remand in Holloway at the time, made a statement and wanted to give evidence on my behalf. I told everything as it happened. They didn't believe me, my baby-sitter or my son. I was found guilty.

When the judge sentenced me to four years in prison he said he didn't believe a word I had said and he hoped my guilty conscience would kill me. Well, I was gobs-macked. I opened my mouth to abuse him, but nothing came out. I was in shock.

At the beginning in prison I was still in shock. I wasn't myself, I was full of anger, hate, pain and frustration. I cried a lot. I couldn't eat or drink. I was very depressed and had headaches 24 hours a day, seven days a week. Things kept

going round in my head. I knew I needed help but I didn't know where to start.

I was frightened of blue and white uniforms. I hated them all and was very angry with every one of them.

After three weeks in Holloway a prison officer spoke to me. She said she remembered the day I was sentenced and she believed I was innocent. She told me that I should fight them, that there is corruption everywhere and I should not waste any time. I couldn't believe it coming from her. But it helped me a great deal. At last somebody believed me. There and then I decided I was going to fight the lawmen who had me locked up.

It was early one morning in November 1991 when Scotland Yard came to visit me at Cookham Wood prison. I told them about what I had seen at my friend's house on The Line.

I told them about the time, one December, when Stoke Newington police raided her. Some of the drug squad officers told her about the raid and told her to get out of the country for a while. She had only been gone a couple of hours when they raided. Everybody on The Line was laughing at the police and calling them names. They got so angry they started beating people up. And of course somebody had to pay for it so some guys got stitched up.

The Scotland Yard people

believed what I told them, mainly because most of the things I told them they already knew. I was asked if I would give evidence against the officers. "You bet your life I will", I replied.

The following day my probation officer phoned me. He told me that Scotland Yard had contacted him to say that they believed me.

Ida Oderinde was cleared by the Court of Appeal on 1 March 1993.

Hackney Community Defence Association

The above information was provided by HCDA.

If you have been a victim of Hackney police phone HCDA on 071-249 0193.

Two HCDA pamphlets are available for £1 plus 50 pence p&p each:

- *Fighting the lawmen;*
- *A crime is a crime is a crime.*

Available from HCDA, The Colin Roach Centre, 10a Bradbury Street, London N16 7JN.

Justice for Aseta Sims!

The brutality of Stoke Newington police has a long history. Pamela Sims spoke to *Socialist Organiser* about the death of her mother, Aseta, on 14 May 1971.

I LAST SAW MY MOTHER in the funeral parlour. I was eleven years old. The right side of my mother's face was completely black from bruising. Her mouth was three times its normal size, her right eye was swollen and her temple was deeply discoloured.

The death certificate says that my mother died

of "Acute Alcoholic Intoxication" on Stoke Newington High Street. The coroner's verdict was "Misadventure".

The police doctor said that he could not say what the cause of death was. He said the bruising was consistent with having been beaten.

The police evidence was completely contradictory. It is clear that she died inside the police station. The police say she was alive inside the station.

I think they beat her and she died. Now I want justice.



Pc Laurence Hanley (left) receives his commendation from DAC Michael Taylor.

Cops commended for arrest of drug-crazed swordman

STOKE NEWINGTON police officers have been commended for their part in tackling a martial arts teacher who went on the rampage after taking dangerous drugs.

Pc Laurence Hanley, 30, was presented with his award by east London's top cop, Deputy Assistant Commissioner Michael Taylor, at a ceremony in Essex.

A police spokesperson said: "Anthony Benson, a highly trained exponent of martial arts, ran amok in Cecilia Road, Dalston, on October 10, 1991, armed with a sword, a set of rice flails and other miscellaneous deadly weapons while under the influence of dangerous drugs.

"Police officers attending were in no doubt of the potential threat to life posed by Benson. The weapons were dangerous in any hands, but it was clear that in Benson's they were deadly," she added.

Pc Hanley was one of the first officers to arrive at the scene and was confronted by Benson brandishing a sword, throwing "shooting stars" at him and his partner, and smashing the rear window of their police car.

Another four Stoke Newington cops cleared the public from the area and drew Benson out into the street, diverting his attention from passers-by. Seven more officers and members of the Territorial Support Group arrived on

the scene and were attacked by Benson before he was arrested.

Benson was sentenced to two-and-a-half years in prison at Snaresbrook Crown Court in March last year for causing an affray.

He also received 18 months for possession of dangerous weapons, the sentences to run concurrently.

Other Stoke Newington officers who received commendations for their part in the arrest were Sgt Clive Brett and Pcs Christine Galbraith, Robert Menham, Adrian Ferguson, John Misquitta, John Drew, Tony Jenkinson, Ian Howlett, Paul Thomas, Simon Crump, Michael Douglas and Peter Allen.

Court rewards Pc injured by machete man

A POPULAR Hackney cop has received a special bravery award after he was seriously injured when he acted as a human shield to protect a council worker from being attacked by a man wielding a 20-inch machete.

Pc Ian Agar, 32, who has served at Hackney nick since joining the Met Police in 1983 and has been home beat bobby for London Fields for eight years, ac-

companied an environmental health officer to carry out a warrant to inspect a house on June 10, 1991.

After there was no reply from the flat, a council carpenter forced open the door and the occupant came running out brandishing the deadly weapon over his head.

Pc Agar shielded the carpenter from attack and was severely wounded on the left knee. Despite his injury,

he then helped to shepherd bystanders to safety.

His courage was rewarded on Tuesday at Bow Street Magistrates' Court when he received an award from the coun's fund for police bravery.

The determined cop made a speedy return to work. A man appeared at court on three charges of grievous bodily harm and was made the subject of an order under the Mental Health Act.

Confession to

police ruled out of court

Man cleared of assaulting rent boy Jason

A MAN'S confession about being one of a gang of paedophiles who sexually assaulted 14-year-old rent boy Jason Swift was ruled inadmissible at the Old Bailey last Friday.

Edward Gough, 30, who admitted to detectives that he was in the flat in the Kingsmead Estate, Hoxton, in 1985 when Jason was subjected to an attack that defied belief, walked free from the court.

Jason's body was found buried in a shallow grave in farmland, not far from Epping Forest. He had been drugged, seriously sexually assaulted and suffocated.

But Gough's confession to the sexual attack was ruled inadmissible by the Old Bailey's most senior judge because it breached the Police and Criminal Evidence Act. Gough, who was later diagnosed as "mentally impaired," should have had an appropriate adult with him when he was interviewed, even though his impairment was not apparent, the judge ruled.

The prosecution case against Gough, a self-employed painter and decorator of Hoxton Street, Hoxton, relied wholly on his confession.

Prosecutor Mr John Bevan offered no evidence on the charge of conspiracy to seriously sexually assault and indecently assault.

Gough, now living with his pregnant girlfriend in Plumstead, admitted three unrelated domestic burglaries in Leyton in 1990 and 1991.

The defendant, who spent more than 18 months in jail awaiting trial on the Jason Swift indictment, was placed on probation for two years.

Inadmissible

The Recorder of London, Judge Lawrence Verney QC, ruled Gough's "confession" inadmissible after nine days of complex legal argument about the defendant's mental state.

One psychologist with 30 years' experience rated Gough's intelligence in the bottom five per cent of the population, with an IQ of 76 or 77.

"That puts him in the borderline mentally retarded category," said the judge.

"At the time of the crucial interview, the 10th in one day, it is likely that stress and fatigue could have lowered his intelligence to the retarded range."

The 10th interview, 15 hours after his arrest, was the first admission of involvement in the Jason Swift assault.

Gough "specifically stated that he did not require a solicitor," but the law requires an appropriate adult to be present if there was any suspicion of mental inability.

Gough was formally cleared of the conspiracy charge, which dated back to December 1, 1985.

Sentencing him to probation, the judge urged him to take advantage of the help that could be provided for his illiteracy.

HS

2-4-93

'Long march through Whitehall' to contract out all but core roles of government

Treasury touts police carve-up

Alan Travis
Home Affairs Editor

POLICE duties from patrolling high-crime housing estates to escorting heavy loads could be transferred to private security firms under a Treasury-led privatisation push being considered by ministers.

The privatisation of some police functions is part of a new ministerial review to define the "inescapable core of Government" and contract out and privatise all other activities. Treasury ministers have dubbed the initiative their "long march through Whitehall".

But plans to privatise police functions could fuel public anxiety over the rising tide of crime and compound the difficulties facing Kenneth Clarke, the Home Secretary, as he tries to push through the most fundamental reforms of the police service for 30 years.

Whitehall sources say the Home Office is under intense pressure from the Treasury, backed by Downing Street, to agree a new list of activities which can be put out to tender.

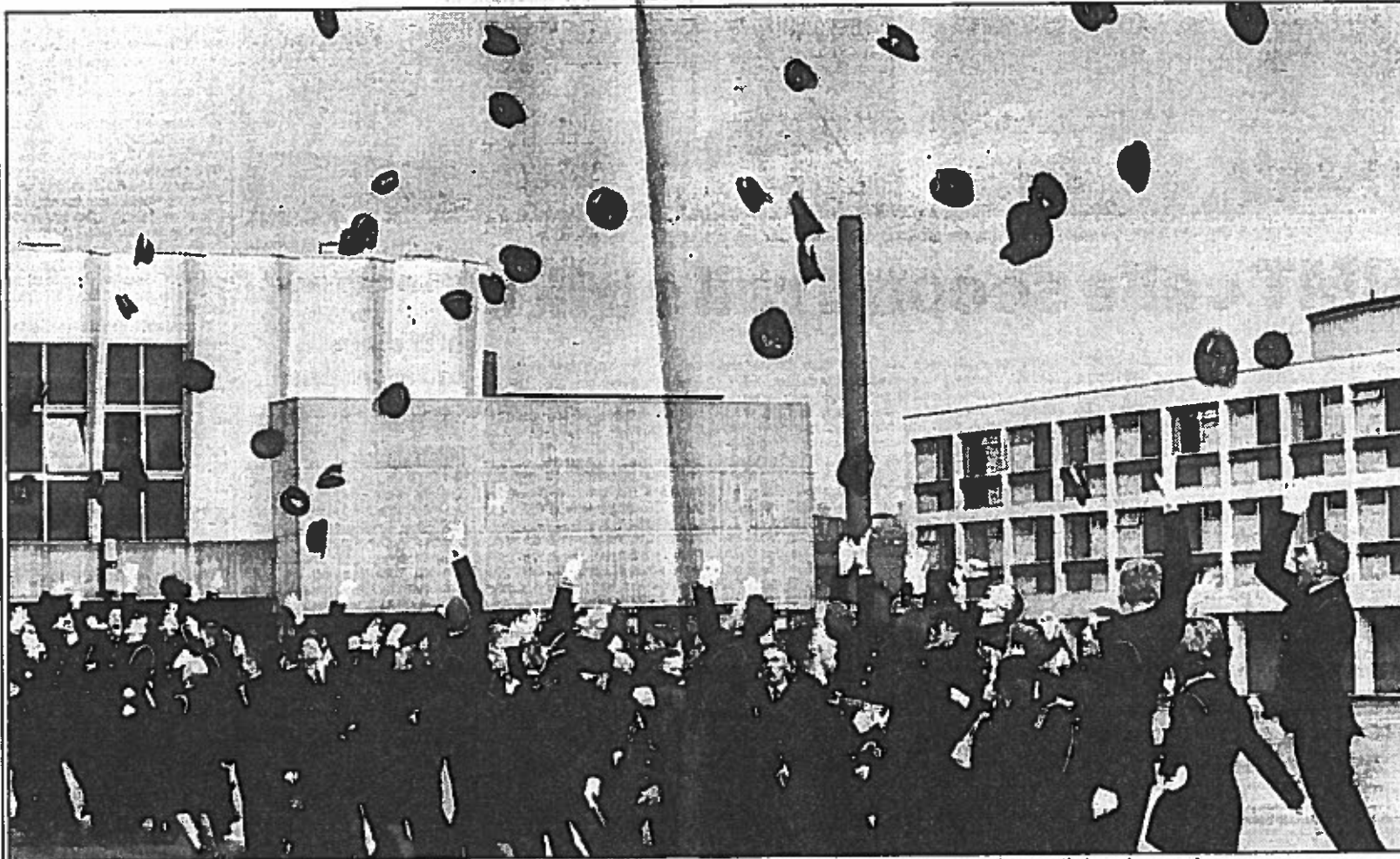
Ministers are already known to be considering adding the jobs of 2,000 entry clearance officers at ports and airports to the list of Home Office activities to be market-tested over the next two years.

But the Treasury wants to go further and is believed to be backing a paper put forward by the Adam Smith Institute, the rightwing free market think tank, which builds on the Home Secretary's decision last month to give chief constables complete control over their budgets for the first time.

The measures would go much further than a simple extension of the "civilianisation" under which many police clerical jobs have been turned over to outside contract staff.

Measures being considered include:

- Hiring private security firms to patrol high-crime housing estates.
- Adopting the American



Hats off to Hendon . . . The last batch of candidates at the Metropolitan Police cadet course, which is being ended after 33 years, celebrate at their review parade

PHOTOGRAPH: E HAMILTON-WEST

scheme of using contract workers instead of expensively trained police officers to visit residents after burglaries and record details.

- Contracting out certain traffic duties such as motorway surveillance and the escorting of heavy loads.

- Putting out to tender security at law courts.
- Transferring the registration of licensed firearms to the private sector.
- Contracting out training police drivers and managing the vehicle fleet.
- Transferring the registration

procedure for aliens to private companies under police supervision.

- Contracting out police communications and the computerised record system.

Whitehall sources believe the Home Office is prepared to support the privatisation of fringe

police activities such as escorting heavy loads on the roads and issuing shotgun certificates but is resisting much of the Adam Smith Institute agenda.

The question of private security firms patrolling housing estates would be particularly sensitive as it might imply that the

police had given up on hardcore inner city estates such as Blackbird Leys in Oxford or Meadwell in Newcastle upon Tyne.

The use of contract workers after burglaries would also be widely seen as an admission that there was no longer any serious possibility of arresting

the thief or recovering the property.

The Institute has argued that if the police are really there to provide a response service it is a very expensive use of their time. "It is all very well to have the police come round after burglaries, but there is a wide-



spread belief that the rate of solving such crimes, much less of recovering property, is sufficiently small to make the exercise hardly worth bothering with," says the Institute's policy paper, the Radical Edge, written by Dr Madsen Pirie.

The Home Office is expected to put up strong resistance to both of these proposals but to concede on other police functions. Ministers consider the main police functions to be: natural monopoly which must be subject to the rigours of competition through the publication of national league performance tables rather than market competition.

Treasury ministers hope that the Whitehall debate over police functions will be repeated across the spectrum of government activity.

One said: "The result of the long march across Whitehall will not be a few high-profile flotations. It will be the continued transfer to the private sector of activities which do not represent part of the inescapable core of government. Support functions will be subcontracted. Non-core activities will be privatised."

"The conventional question was 'what can we sell?' The question must now be turned on its head. Now we should ask ourselves 'what must we keep?' What is the inescapable core of government?"

Five policemen are injured after trying to stop fairground fight

Ian Katz

NINE youths were arrested for public order offences and five policemen were injured after violence broke out at a north London fairground last night.

A police spokeswoman said trouble flared after officers tried to stop a fight between two youths in Finsbury Park shortly after 8pm. More than 70 teenagers turned on them and reinforcements were called.

A number of parents said

their children were injured in the "heavy-handed" police operation, and at least one planned to file a formal complaint after her daughter was among more than 40 teenagers rounded up by police.

"They were roughed up and thrown into the back of vans," law student Anita Hudson said.

In another incident a police helicopter was called in after two Australian men scaled a gas tower near King's Cross, north London. A spokeswoman said: "They'd had a few drinks and got rather abusive."

GUARDIAN

10.4.93

MP queries lack of action against police after damages payouts

David Pallister

NO disciplinary action was taken against 80 per cent of London police officers involved in incidents which led to out-of-court settlements or damages of more than £10,000 over the past five years.

The information, disclosed yesterday by the Labour MP, Chris Mullin, is based on figures given to him by the Metropolitan Police commissioner, Paul Condon. Of the 59 civil actions against the police, no disciplinary action was taken in 46. Officers had to answer charges before a discipline board in six cases, leading to 13 being dismissed, two reprimanded and two advised on their behaviour. Charges against three others were not substantiated. In another six cases, officers were informally disciplined. Details of one case were unavailable as the file was destroyed.

Overall, the Metropolitan Police paid £1.865 million in out-of-court settlements and £758,000 in court awards over the past five years, largely arising from civil actions alleging assault, false imprisonment and malicious prosecutions.

Mr Mullin, MP for Sunderland South, said the highest amount paid in 1990 was a £130,000 out-of-court settlement of a case involving negligence. The highest court-awarded damages in 1990 were £114,215 for false imprisonment, malicious prosecution and interference with goods, and in 1989, £100,275 for false imprisonment and malicious prosecution.

"I note 13 officers were dismissed and that is good," Mr Mullin said. "But it is extraordinary that millions of pounds of public money can be spent in damages or settlements to avoid a case coming to court with no consequences for most of those responsible."

C. UAROLIAN

15-4-93

Change sweeps the law

Commission's key recommendations

APPEALS:
An independent authority to investigate alleged miscarriages of justice; new powers for Court of Appeal

TRIAL BY JURY:
Abolition of a defendant's right to insist on trial by jury

RIGHT TO SILENCE:
Right to remain silent retained, but defence required to disclose case, or risk adverse comment by prosecution

CONFESSIONS:
Uncorroborated confessions will still be admissible, but rules to be tightened

FORENSIC EVIDENCE:
National DNA bank of genetic profiles of criminals, and new forensic science supervisory body

STANDARDS:
Judges urged to penalise poor lawyers; independent supervision of police rejected

PLEA BARGAINING:
Limited introduction, reduced sentences for guilty pleas

ADAM SAGE and TERRY KIRBY

THEir over proposals to abolish defendants' right to a trial by jury yesterday overshadowed other recommendations from the Royal Commission on Criminal Justice designed to prevent more wrongful convictions. Lawyers welcomed the commission's widely anticipated call for a new body to investigate alleged miscarriages of justice but reacted with dismay to measures which they said were motivated by the desire more to save money than protect the interests of defendants.

The commission was established in March 1991 by Kenneth Baker, then Home Secretary, after the release of the Birmingham Six; other miscarriages have added to the importance of its work.

The 352 recommendations address virtually every aspect of the system.

Lord Runciman, the commission chairman, will "very significantly reduce the chances of miscarriages of justice by returning to the courts the power to decide the chances of miscarriages of justice being rectified." The proposal for a new investigative body is couched in a call for the Court of Appeal to be "more prepared" to quash verdicts. "We would like to see the Court of Appeal take a less restrictive attitude than it has in the past," said.

The commission proposes retaining the right to silence but said defendants should be forced to disclose their case before trial.

Other recommendations include a DNA data base, a formalised system of plea bargaining and stricter sanctions against poor performances by barristers.

However, there was profound concern over the call to limit the Crown Court cases heard by juries.

Reformers were also disappointed that the commission backed away from a radical approach to three issues: the cure of recent miscarriages, the use of confession evidence, and independent supervision of the police and rec-

ommends only a supervisory council for forensic science.

Michael Howard, the Home Secretary, said the proposal to end the right to choose trial by jury was "very controversial", adding: "What I want to see is a system that will minimise miscarriages of justice. It is a miscarriage of justice if an innocent person is convicted but also a miscarriage of justice if a guilty person is acquitted."

Any measures the Home Office want to implement swiftly could be included in the criminal justice Bill planned for the autumn.

The police service, relieved that the commission did not advocate a system of independent supervision of investigations, last night welcomed much of the report and said the new body to investigate miscarriages would improve public confidence. The Bar Council was among the report's sternest critics, expressing disappointment at the rejection of its proposal for the Crown Prosecution Service to supervise police

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Reformers applaud	6
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Chris Mullin	21
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investigations. The commission had failed to meet its "central objective" of preventing more wrongful convictions. Rosemary Thomson, deputy chairman of the Magistrates' Association, said: "It seems wrong to take away the right to elect trial in the Crown Court."

Michael Mansfield, the barrister who represented five of the Birmingham Six and Judith Ward, said the recommendations "failed to address the underlying problems of the last 10 to 15 years". Ms Ward described the report as a "missed chance".

Chris Mullin, the Labour MP for Sunderland South who campaigned for the release of the Birmingham Six, attacked the failure to outlaw uncorroborated confessions which, he said, lay "at the root of many big miscarriages of justice".

One of the few bodies to give the report an unreserved welcome was the Serious Fraud Office, whose requests for a wider scope to take on more cases and new measures to speed up fraud trials were supported.



Hard work ahead to fill in this framework

FROM ancient times an English man could claim trial by jury, when accused of theft. Indeed, jury trial was until recent times the only mode of trial for serious offences, and justices of the peace, when they were established, were given minor charges to try in addition to their administrative duties.

Now all that may change. You will, if the recommendations are accepted, lose your right to jury trial for serious offences such as theft and fraud, serious assaults, affray, violence to children, indecent assault and supplying drugs. If the magistrates so decide, they will try the case.

There is nothing wrong with trial by magistrates. The point is that serious accusations should have jury trial.

The recommendation I have mentioned is in the Royal Commission on Criminal Justice, which was established in a time when there was particular concern about miscarriages of justice. What this recommendation, abolishing jury trial, has to do with miscarriages of justice, I do not know. I can only think the reason is to save money. Cost is all very well, but when it impairs the public interest and justice, it should not be the standard.



VIEWPOINT

By John Rowe QC, chairman of the Bar Council

Certainly the report does make a recommendation to deal with miscarriages. The review body is prepared to consider allegations of miscarriage. The Court of Appeal will have wider powers to deal with verdicts which are unsatisfactory, and to allow fresh evidence, and those points deal with miscarriages after they have happened.

There are wider powers for trial judges to dismiss a case when the case is unsatisfactory, and the suspect's right of silence in the police station is

maintained. At long last an independent forensic science service is to be available to defendants.

I am glad to see the reference to the need for the jury panel to reflect the ethnic content of the community, but I do not think a judge should have the power recommended by the report to interfere with random selection and cause the jury to have particular ethnic members.

The report criticises the standards of some barristers and I face the fact that the Commission has seen some poor advocacy and that is less than justice. Judges are encouraged by the report to take action against these barristers. That is good. For many years now, there has been a complaints procedure against barristers and a complaint cannot be dismissed unless the lay members on the Committee agree.

Justice delayed is justice denied, said Magna Carta; and the Commission propose steps to define the issues in a case before it reaches trial and to ensure that there is good preparation on the side of both the prosecution and the defence. This will lead to a shorter time before the case comes on for trial and a shorter time of hearing. So, less delay of justice, and no denial

of it. But did the Commission really work out why the miscarriages had occurred? In these cases the fault lies in the investigation of the case and in the disclosure stage when the prosecution tell the defence what they have by way of documents and material. The Bar suggested that the Crown Prosecution Service should supervise police investigation; this has not been taken up.

As to disclosure, the Commission seem to be saying that instead of full disclosure by the prosecution, it may make some initial disclosure, and then wait to see what the defence has before making its second round of disclosure. But what if the defence does not know of a particular case available to it which is to be found only in the prosecution documents?

This has happened in at least one well-known miscarriage case recently. The defence did not know of fact showing the defendant could not have done it; they were to be found in prosecution documents which were not disclosed.

The Royal Commission has worked hard. But a great deal more work is required by the legal profession, barristers and solicitors to get it right.

INDEPENDENT 6.7.93

Defence 'should have to reveal its case'

Defendants could be made to 'help' the prosecution, writes Adam Sage

DEFENDANTS will be under intense pressure to reveal their case in the run-up to their trial if the commission's recommendations are supported by the Government. The commission outlines detailed plans aimed at abolishing the so-called "ambush defence" whereby suspects only disclose their cases at the last moment. Failure to provide an early indication of the arguments likely to be used by a defendant should be brought to the attention of the jury, the commission says. This proposal will be warmly welcomed by the police and some barristers who believe the "ambush defence" is used to secure acquittals of many guilty people. The commission's report says: "If all the parties had in advance an indication of what the defence would be, this would not only encourage earlier and better preparation of cases but might well result in the prosecution being dropped in the light of the defence disclosure, an earlier resolution through a plea of guilty or the fixing of an earlier trial date."

However, inclusion of this recommendation split the commission, with one of its members, Professor Michael Zander, including a note of dissent. He said: "The fundamental issue at stake is that the burden of proof lies throughout on the prosecution."

"Defence disclosure is designed to be helpful to the prosecution and, more generally, to the system," Professor Zander says. "But it is not the job of the defendant to be helpful either to the prosecution or to the system."

The commission rejects calls for abolition of the right to remain silent. Jurors should not be told if a defendant refuses to answer police questions, it says.

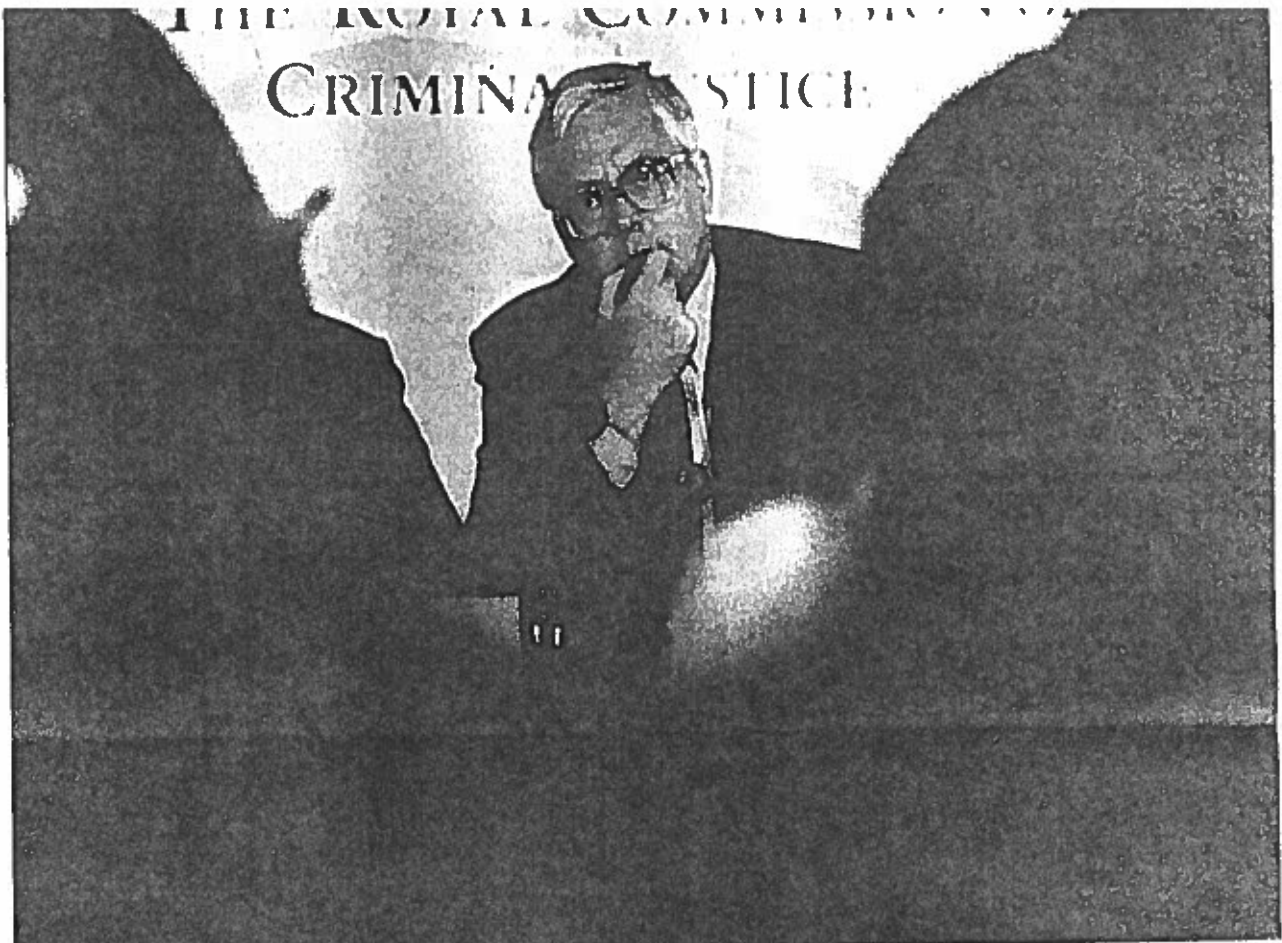
There are also measures designed to balance the requirement for defendants to disclose their case. For instance, prosecution lawyers should be forced to disclose all material relevant to the case, whether or not they intend to rely on it.

Legislation is needed to lay down detailed guidelines on disclosure, the commission says, pointing out that some material has to be withheld in the interests of national, or occasionally commercial, security.

There is a radical proposal for judges to be given the power to order that up to three members of the jury are from ethnic minorities in cases with a racial dimension. In exceptional cases, defence lawyers should be able to request that the three jurors are from the same ethnic background as the defendant, the commission says.

If legal reformers will be pleased by this proposal, they will be angered by other recommendations. For instance, the commission says rules on hearsay evidence should be relaxed.

The commission says that in some cases the Crown Prosecution Service should listen to victims' opinions before deciding whether to bring a case to court.



Viscount Runciman of Doxford, chairman of the Royal Commission on Criminal Justice, taking questions at the launch of its report in London yesterday

Photograph: Edward Sykes

Members divided on question of unsupported confessions

THE ISSUE of whether confessions to police should only be admitted as evidence if corroborated by other evidence is sidestepped by the commission because its members are split.

Many miscarriages of justice — including the Guildford Four case and also more recent scandals such as the West Midlands Serious Crime Squad affair — involved convictions based only on confessions of suspects. The failure of the commission to agree will disappoint many reformers.

It says that safeguards in the Police and Criminal Evidence Act (PACE) — introduced in 1986 following the earlier miscarriage of the 1977 Maxwell Confait case — are "comprehensive and, while not foolproof, are substantially sound". PACE provides for both contemporaneous note-taking and tape recording of interviews.

Although there were allegations of abuse of PACE during its early years, the system has been tightened by in-

Defence lawyers hoped for changes in the admissibility of evidence. Terry Kirby reports

ternal enforcement and Court of Appeal judgments. However, many defence lawyers still think corrupt police officers can circumvent the rules by intimidation or deals outside the interview room. The commission urges that video-recording of interviews should be introduced, but makes no recommendation that confessions should only be admissible if video or audio taped. "To do so, would mean that some reliable confessions might be lost."

The commission recommends that custody suites — the area outside interview rooms — should be continuously recorded.

The commission says PACE, together with its recommendation of the reversal of a Court of Appeal deci-

sion limiting judges' powers to stop a weak prosecution, should make it "less likely" that miscarriages will occur. In all cases, says the commission, the judge should warn jurors strongly about convictions on confession evidence alone.

Three members argued that a confession should not be the sole basis for a conviction. The majority view was that where a confession was "credible" and passed the tests in PACE, it should be allowed. Where it was not credible, the case should be dropped by the CPS or rejected by the judge.

The commission also recommended that in some circumstances, police could question suspects after they have been charged; some lawyers fear this could be abused.

Signature 'followed threats'

ROBERT BROWN, 36, has served 17 years for the murder of Annie Walsh, who was bludgeoned to death in her Manchester council home, writes Heather Mills

Although he maintained his innocence at his trial, he was convicted largely as a result of his own confession to police. But Brown maintains he only signed a confession after long hours of police interrogation, threats and assault.

Lawyers and justice campaigners say the confession is full of inconsistencies — it did not match accounts given by two witnesses who

saw Miss Walsh shortly before her death; his account of eating biscuits with her did not match pathology reports showing she had had fruit and meat, and begs the question why he was supposed to have taken her still in her house.

Those who have investigated the case for the television documentary, *Scottish Reporters*, have also unearthed new evidence from a woman who now says she was mistaken when she said Brown had turned up at her flat in the early hours with blood on his clothing. His lawyers now hope to have the case reopened.



Robert Brown: jailed for murder

Merger plan would mean SFO gained in strength and size

THE Serious Fraud Office will be much enlarged and strengthened if the Government accepts the recommendations of the Royal Commission.

A week after the SFO came under fire in the comments for its handling of the Aïd Nadir case, the commission said the Government should mount an urgent study of merging it with the Fraud Investigation Group of the Crown Prosecution Service.

The effect would be to extend the SFO's much-feared power to override suspects' right to silence to a much larger number of cases.

The commission said there was "no justification in principle for the present division of responsibilities and powers. The same body should investigate all cases of serious and complex fraud and the same powers should be available to the investigators".

The commission's 17 recommendations on serious fraud included strong backing for the continuation of the SFO's special power as well as detailed proposals for how early disclosure of the defence case and plea bargaining would operate in fraud trials.

The commission accepted the SFO's suggestion that the courts should be allowed to bring City regulators into the plea bargaining process. In return for guilty pleas, defendants would agree to accept "severe regulatory penalties" instead of jail sentences. These could include fines and disqualification from office.

Peter Rodgers studies the proposals to join the two fraud investigation bodies

The commission said it was seriously concerned that the powers and resources for investigating serious and complex fraud were "not available to all those charged with the task", particularly when the number of offences and amounts involved were increasing.

The FIG currently handles 40 cases with a total of more than £381 at risk, compared with the 57 cases involving £6.25bn being investigated by the SFO.

It is believed that a merger would lead to many of the smaller FIGs being devolved to regional offices, the CPS, with the SFO taking more serious and complex jobs.

The FIG cannot use Section 2 of the Criminal Justice Act 1987, which allows the SFO to force defendants to give interviews and produce documents even after they have been charged, on pain of imprisonment.

The commission said it recommended an urgent study rather than immediate merger because of differences in working methods. The FIG mounts team investigations while the SFO mainly advises on investigation by the police.

View from City Road, page 24

National data bank of suspects' DNA profiles supported

A NATIONAL data bank of DNA profiles from all people arrested for serious offences should be established to assist in the investigation of crime, the Royal Commission recommends.

Half the data bank would consist of identifiable prints taken from those who are convicted, in the same way that fingerprints are currently retained, for future matching against samples from the scenes of crimes.

The second half would be an anonymous statistical base comprising all profiles, including those from people

who are acquitted, to help scientists make estimates of the frequency of profiles in the population at large. The commission says it is "proper and desirable" for police to take non-intimate samples, such as hair or saliva, from all those arrested for serious offences, whether or not it is relevant to the offence. The data bank should be governed by clear safeguards and overseen by an independent body.

The plans were welcomed last night by the police service, which has pressed for such a recommendation. The report also proposes powers for police to take samples with consent from those arrested for less serious offences. But where a suspect refuses intimate or non-intimate samples, a jury should be allowed to draw an inference, as is the case in serious offences. The commission has rejected a call

from the police to make refusal to supply a sample an offence in itself. But the proposal to restrict saliva as a non-intimate sample — as in Northern Ireland — will mean police can take such samples without consent from suspects.

The proposals, together with a recommendation that the police have the "reasonable force" to remove drugs from the mouths of suspects, are likely to cause

concern among civil libertarians. Plans to improve access to forensic science for the defence fall short of what many lawyers would like. Rather than a wholly independently appointed and maintained service, the commission says that the existing Forensic Science Service and the Metropolitan Police laboratory should continue with their policy of allowing access to defence lawyers.

The commission advocates a Forensic Science Advisory Council oversee standards and provision, including a code of ethics and duties disclosure — two areas where failure by scientists which have been identified in a number of miscarriages of justice, including the Maguire and the Stefan Kisiko case. The defence should also be given an enforceable right of access to material held by the prosecution. Reformers question whether these measures far enough.

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Reformers applaud proposal for body to review cases

New authority would examine possible miscarriages of justice. Terry Kirby and Heather Mills report

A NEW body to investigate possible miscarriages of justice — ending the Home Secretary's role in ruling whether cases should be referred back to the Court of Appeal — is the Royal Commission's most important recommendation.

It was welcomed last night by legal reformers. Although some said it did not go far enough, the Bar Council and police service, which emphasised that it would help to improve public confidence. Reformers also applauded the commission's recommendations regarding the role of the Court of Appeal — which some see as a rebuke to the court for failing to recognise earlier miscarriages, such as the Birmingham Six case.

The new body would replace the Home Office's C3 department in investigating the kind of cases which led to the commission — the Guildford Four and Maguire family miscarriages as well as the Birmingham Six — all of which required lengthy public campaigns and pressure upon the Home Office from leading legal and church figures before their eventual referral back to the Court of Appeal. Both the Guildford

and Maguire cases were earlier rejected by the Home Secretary on the recommendation of C3's civil servants.

Subsequent referrals have led to the court quashing convictions in the Tottenham Three and the Stefan Kiszko case as well as appeals connected with the West Midlands Serious Crime Squad. Recently, the Home Office has been criticised for refusing to refer back the Carl Bridgewater murder case. In all cases, lawyers have complained about difficulties in persuading C3 of the validity of new evidence and have argued that officials are reluctant to allow the court to decide issues.

The proposed new body — the Criminal Cases Review Authority — was the most fundamental recommendation the commission could have made, although some might argue that it did not need a two-year inquiry to reach the conclusion that it was "neither necessary nor desirable" for the Home Secretary to continue in the role.

Successive Conservative Home Secretaries, including Douglas Hurd and Kenneth Clarke, have recognised the weaknesses of C3 and accepted the need for change. Largely because the Home Secretary does not want to be seen to be usurping the function of a



Paul Cleeland: anomalies in case

judge and jury, he is only likely to entertain cases only where fresh evidence has come to light. There is no provision to look at cases where there may be a "lurking doubt", despite the fact that convicted people lack the resources to unearth new material.

The commission says the new authority, comprising both lay members and lawyers appointed by the Lord Chancellor, would consider submissions, supervise investigations and refer cases to the court. Crucially, the report says, it should have "opera-

tional independence" and be "proactive" when investigating alleged miscarriages. "It will need no further justification than a conclusion on the part of its members that there is, or may be something on investigation, to justify referring it to the Court of Appeal."

When applications are rejected, the report says, defendants should be given a full explanation, rather than, as is often currently the case, a relatively short note.

The proposals retain a central concern of reformers — that the police will still be charged with conducting the new investigation of the case, despite suspicions that officers are unlikely to want to expose weaknesses in their own prosecutions.

At a press conference yesterday, Lord Runciman emphasised that it had been investigations by outside forces which had resulted in many recent miscarriages being overturned. He also said that, despite the retention of the police report by the new authority, a situation which concerns

reformers, the emphasis would be on the new body to disclose everything relevant to the defendants.

Justice, the legal reform organisation, yesterday repeated its demands that an interim tribunal should be set up immediately to investigate the most worrying cases.

In a series of recommendations, the commission urges the Court of Appeal to be "more prepared" to quash convictions when there is no fresh evidence, but where the judges believe the jury's verdict may be unsafe — the so-called "lurking doubt" cases.

It also says the court should be prepared to accept fresh evidence more readily and recognise errors by trial lawyers as grounds for appeal.

In a note of dissent, Professor Michael Zander, who is supported by Yve Newbold, another commissioner, contests the conclusion that convictions can be upheld despite serious misconduct by the prosecution, if there is other evidence against the convicted person. Professor Zander writes: "The moral foundation of the criminal justice system requires that if the prosecution has employed foul means, the defendant must go free."

Inconsistencies not investigated

LAWYERS and politicians who have studied the case of Paul Cleeland, one of Britain's longest-serving prisoners, have few doubts that had there been an independent body to investigate the possibility of a miscarriage of justice, he would not still be in jail, writes Heather Mills.

He was jailed 21 years ago for the shotgun murder of Terry Clarke, a friend and business partner. There were anomalies and inconsistencies in the case: the killing was witnessed by Mrs Clarke who gave a description which bore no resemblance to Cleeland; three experts have said that the ancient weapon

supposed to have been used could not have caused the injuries; his prison records were altered in a way which affected his 1977 appeal; the "expert" who gave forensic evidence against Cleeland had no formal qualifications; and a police inquiry into the case remains secret.

Because the Home Office division which examines miscarriages of justice, C3, can only look at "new" evidence, no one has considered its inconsistencies. Cleeland, now 50, who has always protested his innocence, has resorted to ingenious magistrates' court and judicial review hearings to highlight his case.

VIEW FROM CITY ROAD

A £10m fine, no criminal charges:

A swindler pleads guilty in front of a judge to a simple theft charge, in return for which half a dozen more serious counts of conspiracy are dropped. Instead of going to jail he pays a £10m fine to the Securities and Investments Board and is disqualified from office for five years. The whole affair is cleared up in a year instead of waiting to grind through the criminal courts.

That is the prospect raised yesterday by the Royal Commission on Criminal Justice. As part of its plan for formal plea bargaining, the commission suggested regulatory penalties could be introduced to the courts.

The bargain could be struck in a number of ways: a criminal prosecution could be dropped in return for a regulatory penalty agreed in advance. Alternatively the defendant could plead guilty to a lesser charge in return for the regulatory penalties. The Serious Fraud Office and the SIB are currently discussing ways this could be done.

The commission suspects only a very small proportion of fraud cases would be suitable for regulatory penalties. But even if that is true the implications for City regulation are immense, because the commission says the regulatory penalties must be "sufficiently severe that it could not be alleged that so-called white collar crime was being more leniently handled than other offences".

That must mean fines and disqualifications that really hurt, not the

modest penalties that bodies such as Imro have so far imposed. If regulatory plea bargaining is to be introduced, all the more reason for having a single City investigatory body, as the Stock Exchange has suggested.

Most significantly in the medium term, the commission has sided with George Staple, director of the SFO, in a turf war, by coming down in favour of an urgent study of a merger of the SFO with the Fraud Investigation Group of the Crown Prosecution Service. If the Government agrees, it is hard to imagine a firmer slap down for Michael Mates than backing a big expansion of Mr Staple's empire.

Mr Staple was understandably pleased yesterday. But what must worry him is whether the Government will also be so supportive, given all the commotion in Parliament and press over Aïd Nadir.

Gaps in the defence

TREVOR Henry is serving a 10-year sentence for conspiracy to commit grievous bodily harm on a former girlfriend, who was seriously injured when two unidentified men threw acid in her face, writes Heather Mills.

Henry, 36, maintained his innocence; there was no evidence against him and police could only suggest in court that he had the motive and means to launch the attack.

Lawyers say the case was so thin that the judge at his 1992 trial should never have allowed it to go before the jury. But his defence team at the time did not apply to have the case withdrawn, nor effectively challenge prosecution claims of motive and means.

The jury was not told of his previous good character. Neither was it told that following a previous attack on the victim, she had called Henry and it was he who took her to hospital and he who persuaded her to report the incident to police.



Trevor Henry: jailed

The solicitors' firm then handling the case, Toppin and Co of New Cross, south-east London, allocated a legal executive, not a solicitor, to it. The firm was criticised two weeks ago by the Court of Appeal for its part in the wrongful conviction of another of its clients, Ivan Fergus, and has since been suspended by the Law Society over a third issue.

Critics fear proposal would erode fundamental safeguards lying at heart of judicial system

Defence lawyers attack call to end right to choose trial by jury

ADAM SAGE, Legal Affairs Reporter

OF THE commission's 352 proposals, the call to end the ancient right for defendants to choose whether they are tried by a jury or by magistrates will prompt the most profound and anguished debate.

Defence lawyers believe that such a step would erode fundamental safeguards that lie at the heart of the justice system in England and Wales. They say the recommendation stems from a desire to save money rather than improve the legal process.

The same criticism will be levelled, although with less vehemence, at the commission's call for a formal system of sentence discounts, attacked by some observers as a form of plea bargaining. Yesterday, however, Lord Runciman emphasised that he had not been motivated by the need to cut costs. Both proposals were aimed at rationalising a system that contained long-standing anomalies.

The commission says that about a third of the 100,000 cases heard in crown courts every year would be transferred to magistrates' courts under its proposals, enabling judges and juries to concentrate on the most serious offences.

At present, only a few minor cases are automatically heard by magistrates, with most defendants able to choose where they stand trial. The gravest offences, such as murder, are always tried before a jury at the crown court.

In its report, the commission says that most defendants who opt for a jury trial do so because they believe they have a better chance of being acquitted. Many suspects think that magistrates are "on the side of the police".

Yet, the commission goes on: "Magistrates' courts conduct over 93 per cent of criminal cases and should be trusted to try cases fairly."

Prosecution and defence teams would try to agree whether the case should be heard before a jury or a magistrates' bench, the report says. The commission recommends that if agreement could not be reached, the final say would lie with the bench.

The report goes on to lay down some of the criteria to be used by magistrates when assessing whether they should hear a case. These include the gravity of the offence, the complexity of the trial and, most controversially, the "likely effect on the defendant". This last recommendation is certain to attract criticism from those who say that middle-class suspects with no previous convictions will be able to go

before juries, while unemployed defendants with criminal records will be denied this right.

Legal reformers, such as the group Justice, are certain to mount a vigorous campaign against this proposal. Equally, they will attack the recommendation that defendants should be encouraged to plead guilty, with lower sentences given the earlier that they admit to their crime.

'It can rapidly lead to a system which... penalises those who opt for jury trial'

The proposal has prompted criticism that there already exists a shadowy and informal system of plea bargaining, with defendants usually receiving a 25 per cent discount on their sentences if they plead guilty. However, there is little incentive for suspects to make such an admission until just before their trial is due to start, by which time lawyers have wasted vast amounts of time and money preparing the case. These "cracked trials" represent 26 per cent of crown court cases, according to the commission.

In its report it calls for a statutory and open system of discounts to persuade defendants to admit their guilt

if, indeed, they are guilty — as early as possible. The commission also wants defendants to be able to ask the trial judge what sort of sentence they would be likely to receive for an admission of guilt.

It is one of a series of proposals designed to improve a system which has been described by many lawyers as costly, cumbersome and inefficient.

These also include: ■ A recommendation for pre-trial committal hearings to be abolished unless defendants claim that there is no case to answer;

■ Time-limits within which lawyers must discuss and prepare the case;

■ A requirement for judges to curb prolix barristers and prevent trials from running on too long.

Yesterday, Lord Runciman was adamant that his proposals for sentence discounts would not lead to American-style plea bargaining where suspects are encouraged to admit their guilt in behind-closed-doors meetings with their attorneys.

But Justice said that the innocent would nevertheless come under pressure to plead guilty as a result of the commission's plans. The proposal would "subtly undermine the presumption of innocence in the criminal justice system", Justice said.

It added: "It can rapidly lead to a system which becomes accustomed to looking for guilt and penalises those who opt for jury trial."

Rebuke over legal aid cuts

LORD MACKAY of Clashfern, the Lord Chancellor, is implicitly rebuked by the Royal Commission over his recent moves to cut the spiralling cost of legal aid, writes Adam Sage.

Measures to replace hourly rates for criminal work in magistrates' courts with a system of standard fees are highlighted as a matter of concern. The report echoes the arguments of the Law Society that lawyers could be under pressure to cut corners. There was a risk that standard fees "may be a disincentive to solicitors to do the amount of work on a case that it requires," it says.

It also questions recent moves to limit eligibility for legal aid, saying: "We would... be very seriously concerned if the Government's proposals were to have the effect of increasing the number of defendants who have no legal representation in court."

The cutbacks were announced by Lord Mackay last November in an attempt to curb a legal-aid budget that was set to double to more than £2bn by the mid-Nineties.

Solicitors are likely to point out that if the commission's call for a reduction in the number of Crown Court hearings is supported by the Government, this would serve to save substantial sums of the money.

Tighter control on training urged

A WIDE-RANGING package of measures aimed at improving the standards of police officers, lawyers and judges was proposed by the commission.

It urges tighter supervision of the police during investigations, but has rejected calls for an enhanced role for the Crown Prosecution Service or a system of investigating magistrates.

Research conducted on its behalf demonstrates that greater supervision of detectives conducting investigations is needed, the commission says. It recommends improved training in supervision at all levels, "with particular emphasis on the mistakes most commonly made during investigations and how they can be avoided".

It also recommended a new system of national training in interviewing skills - a suggestion welcomed last night by the police service, which has implemented such a package.

The commission goes on to urge improved systems for selection of CID officers and for the management and supervision of specialist squads, saying it was "seriously concerned" at the faults revealed in the West Midlands Serious Crime Squad.

The report makes recommendations for improving the police disciplinary system, including making those acquitted of criminal charges face disciplinary proceedings, lowering the standard of proof in such hearings and

Terry Kirby and Adam Sage report on proposals aimed at raising standards

establishing the right of officers dismissed to sue for wrongful dismissal. It also proposes a "helpline" scheme under which officers or civilians can report concerns about malpractice.

The commission outlines measures aimed at improving the service provided by defence lawyers. Foremost among these is a call for judges to do more to ensure that lawyers who perform badly are penalised. The judiciary should be more willing to refer examples of incompetent work to disciplinary hearings, and more prepared to fine barristers who waste the court's time and money.

The commission says that a new code of practice is needed to offer guidelines to all advocates, and training for both branches of the profession should be extended and improved.

Additional funds should also be found to provide more training for judges, the report says, stressing the need for refresher courses. It goes on to criticise the failure to monitor the performance of judiciary: "[We] find it surprising that full-time judges seldom if ever observe trials conducted by their colleagues."

INDEPENDENT

6.7.93

Police pay out £87,500 damages

A FORMER Stoke Newington drugs squad officer is one of six policemen who cost the Metropolitan Police £87,500 in damages after three men claimed they had been assaulted during the 1987 Wapping print dispute.

Pc Terence Chitty, who is being investigated by Scotland Yard's anti-corruption probe, Operation Jackpot, transferred to Stoke Newington in October, 1990.

Pc Chitty and five other officers were suspended and charged with conspiracy to pervert the course of justice in May, 1989, but the case was dismissed.

However, the three men recently accepted a total of £87,500 damages and an unreserved apology from Metropolitan Police Commissioner Paul Condon.

● A picket of Stoke Newington police station by the Hackney Community Defence Association will be held on Monday between 9.30am and 11am.

The HCDA, based at the Colin Roach Centre, in Bradbury Street, Dalston, are calling for the publication of the results of Operation Jackpot and a judicial inquiry into policing in Hackney.

They will also meet members of civil rights group Liberty, who will be publicising their response to the Royal Commission on Criminal Justice's report on reform of the criminal justice system, which was published on Tuesday.

Drug addict bailed to continue break-ins

TOUGHER sentences have been demanded by Hackney's police watchdog group after they were told how a 17-year-old crack addict carried out a mini-crimewave on his own after repeatedly being freed on bail by magistrates.

Members of the borough's Police Community Consultative Group sat and listened in disbelief as Stoke Newington's top cop, Chief Supt Niall Mulvihill, described in detail how time and again the youth was arrested for burglary - only to be freed to go out and commit more crimes, even breaking into the same houses he had burgled before!

He was arrested by Stoke Newington police last month after committing more than 100 burglaries on a neighbouring division while out on bail.

He had already appeared before magistrates 10 times on burglary charges and was wanted for burglary offences on Stoke Newington's ground after failing to surrender to police bail earlier in the year.

When interviewed by detectives, he said he would admit to more than 50 residential burglaries if bail was considered, but it was declined.

His solicitor told detec-

tives he knew his client had committed numerous outstanding burglaries, but had advised him not to admit to any and to consider having them dealt with by a post-prison visit if he was jailed.

When he appeared before magistrates, he was released on bail to a probation hostel, despite police objections.

Chief Supt Mulvihill said it was hard for police to convince the public that cracking down on burglary was a top priority when such individuals were released on bail to burgle the same homes sometimes two or three times.

The police consultative group agreed to write to the powers that be demanding tougher custodial sentences from judges and magistrates.

"Bringing little things like this before the courts is no longer a deterrent because of the leniency of the sentences," said the chairperson, Betty Blomfield.

Turks demand move after 'racist' attack

A TURKISH family on the Kingsmead Estate are claiming they are the victims of racist violence after a gang attacked them in their home last week.

Anti-racist campaigners have compared the incident to Nazi attacks on Turkish families in Berlin and Solingen in Germany.

The family told police a gang of 20 white males aged between 16 and 20 forced their way into their home and attacked them at 9.15pm on Tuesday last week.

The mother, Guzide Binboga, had stitches. Her husband, Ali, 14-year-old son Cihen and daughters,

Eyalem, 16, and Meml, 18, received treatment for bruising at Homerton Hospital.

The family claim it was a racist attack and are demanding to be rehoused because they are too frightened to return home.

Hackney Council immediately put the Binboga family in temporary bed-and-breakfast accommodation.

Officers from Hackney police station in Lower Clapton Road investigated the attack and are not treating the incident as racially motivated.

Police say about 10 youths,

black and white, aged between 12 and 14, were responsible for the assault. No arrests have yet been made.

The Union of Turkish Workers, based in Balls Pond Road, Dalston, condemned the attack.

Ayse Hasan, from the UTW, said: "This racist assault on a family in their home is frighteningly similar to the attacks taking place daily in Germany."

"We call on anti-racists to support the family in protesting at the attack and to fight to ensure these racist thugs do not go free to terrorise others."

ROYAL CRIME COMMISSION FOLLY

by Mike Massie

THIS week's report by the Royal Commission on Criminal Justice has been described as "an insult" to victims of police criminality by community groups.

The Royal Commission was set up to examine and recommend proposals to reform the criminal justice system to prevent some of the almost routine savage miscarriages of justice that have made Britain the laughing stock of the world. It was also a reaction to the widespread plea that the British machinery of 'justice' is now securely founded on the principle, "that rather than convict a single guilty person, a hundred innocents should be put behind bars."

The indecently large number of innocents wrongly convicted is indicative of a deep rooted sickness in the so-called British "machinery of justice". Millions of pounds have been paid a merry of the victims. This is only the tip of the iceberg as more and more people still behind bars provide convincing evidence of wrongful conviction. A mixture of sheer spite and sheer incompetence both at the lowly police level

and the higher ranks of what passes for the judiciary in this country is largely responsible for this disgraceful travesty of justice.

Britain's miserable record in this regard explodes the myth that Britain's police and judges are the finest in the world. Even some totalitarian states, infamous for their stitching up of the innocent appear positively inferior in this regard, demonstrating that when you hand over a country to the dictatorship of a tyrannical and smugly inefficient and class ridden judiciary and a lazy, overpaid, over-petted incompetent, racist and dictatorial police, you are asking, as the Indian Chiefs of old would say, for a "heap of totalitarian trouble."

Britain's striking resemblance to Chile under Pinochet and Portugal under Salazar, is also the result of a closed, secretive prosecution service determined to secure a guilty verdict at all costs, even to the extent of withholding crucial documents from the defence, "touching up" forensic evidence with the help of some discredited "scientific experts" as in the case of

the Guildford Four, and some lawyers using methods more worthy of burglars and other low criminals than supposedly upright men of the Bar. In addition to the Guildford Four, there are enough names of wrongfully convicted people to fill a decent sized paper-back. Some of the most prominent are the Tottenham Three, Birmingham Six, Cardiff Three, the Taylor Sisters, and scores of certain citizens from Brixton and Notting Hill.

The Royal Commission has been accused of failing to address the major causes of unjust convictions and police crimes, especially perjury, assault, planting evidence and other techniques to frame and criminalise the innocent.

The two year 'investigative' report by the Royal Commission - at a cost of £2m to the taxpayer - merely recommends a series of 352 measures aimed at 'tightening' the existing system.

Although measures, such as the recommendation that the Home Office establish an independent tribunal to investigate future

Continued on page 18

A spokesperson for the Hackney Community Defence Association (HCDA) said that the group had participated in yesterday's (Monday July 12) picket of Stoke Newington police station, organised by Liberty, against the Commission's high-handed and undemocratic proposal for increased powers for magistrates, to now decide whether a defendant should be afforded the right to trial by a jury of their peers.

The HCDA spokesperson drew attention to the "cosy relationship between magistrates and the police".

"Many victims of police crime appear before magistrates charged with offences against the police," said the spokesperson. "Time and again these people are unjustly convicted by magistrates, some are lucky enough to win their case on appeal." "Magistrates Courts were originally called Police Courts, this is still an appropriate title as magistrates enjoy a far too cosy relationship with the police to ever be considered impartial," added the HCDA spokesperson.

The HCDA presented two participating members of the Royal Commission with copies of its own report, *A Crime Is A Crime Is A Crime: A short report on policing in Hackney*, at a meeting between representatives of both organisations in November 1991.

The National Black Caucus also presented a report to the Royal Commission. It welcomes such proposals as the empowerment of judges, in exceptional cases, to select juries including up to three persons of visible minority background. However, the Caucus would like to see more than three representatives of the visible minorities in cases where a preponderance of whites would be viewed as "justice not being seen to be done."

"The proportional ethnic make-up of the jury should be the same as the ethnic make-up of the area the defendant comes from," said Lee Jasper, of the NBC.

The NBC, generally unhappy with what it regards as an "apologia" from the Royal Commission, urges vigilance against the abuse of civil liberties.

Barrister Rudy Narayan, called the report "a book with an impressive cover but little content".

"There is absolutely nothing in this report to suggest any failsafe against other Kullasinghams, Cardiff Threes, Tottenham Threes, Birmingham Sixes, Taylor sisters or any of the other disgraceful miscarriages of justice taking place again," he said.

It is believed that Home Secretary Michael Howard, himself a QC, will resist moves to abolish a defendant's automatic right to trial by jury. Mr Howard has publicly stated that he might not be prepared to accept all recommendations of the eleven man Royal Commission. Howard normally far to the right of Mrs. Thatcher has happily, not allowed ideology, to over-ride his own convictions about the jury system being a vital part of the democratic tradition. This government has always been frightened of the people as is evident from its abolition of the GLC and its continuing attempts to destroy whatever is left of local government power.

It has often been shown that juries are far more sensible and responsible than authoritarian judges. They are certainly less willing to treat police evidence, often concocted, as reliable. And they are only too well aware that judges live in ivory towers. They are not only a highly privileged, over-paid and over-pampered caste, now about to get their come-uppance as a result of some vitally needed reforms, but they are generally indolent and lazy, nodding off in the midst of some cases. It is to the credit of juries that despite erratic and highly prejudicial summings-up, juries have returned not guilty verdicts in the case of people they are convinced are innocent or have been framed by the police.

It is unfortunate that the Royal Commission should spend so much of its time concentrating on securing convictions. While it is important to find the guilty guilty, it is also supremely important that the innocent are not convicted. Happily, the tide is turning against the British police and judicial establishment. Press and public opinion outraged by the excesses of the police and the justice are demanding better value for money, now that justice itself is being evaluated in free-market terms. We should keep up the pressure so that future Royal Commissions at long last give the people what they want - a thoroughly professional, incorruptible and efficient machinery of justice freed of the totalitarianism that has plagued us for so long.

Royal Crime Commission

continued from front

alleged miscarriages of justice, has been praised by government-sponsored groups - including the Commission for Racial Equality and the police-led Police Complaints Authority - the proposal for the abolition of a defendant's automatic right to trial by jury and the limitation of the right to maintain silence in police custody has been condemned by independent community groups and some experts like the radical former barrister, John Mortimer.

The Royal Commission has also failed to demand supporting evidence for confessions, as uncorroborated confessional evidence has been at the centre of some of the most widely publicised miscarriage of justice cases, such as the Birmingham Six. Additionally, the proposal to establish a national 'DNA bank', containing information on all felons with serious convictions - thereby allowing police to obtain DNA profiling of suspects from saliva, blood or semen samples - has been identified as a direct infringement of the civil liberties of suspects and prisoners.

CARIBBEAN

TIMES

13.7.93

The sheer weight of news from the police is changing the nature of crime stories, reports
KEITH BLOGG



Simon Edwards

THERE is a rule at Newsroom Southeast, the BBC's regional news programme: that only one report on crime be carried in any bulletin. It is an instruction which regularly leads to fury on the shop floor as news of a dramatic robbery or murder is dropped in favour of what one senior operative describes as "a lot of fillers".

This is a new problem, and one which is facing news operations everywhere: there is a deluge of news from the police. Once, it was the public service that seemed to care least about its public image. Has the Force now become a self-conscious chatterbox?

The crime figures are soaring, and more crime means more stories. But equally, this is a symptom of an open-door policy by Scotland Yard's chiefs. The attempts at glasnost by an organisation which now feels in need of love and understanding are refashioning the way crime and detection are presented to the public.

Only a few years ago, life for the newshounds on the crime beat was very different. It was a world of secret contacts, whispered conversations in a corner of the saloon bar, muttered tips on a private line and, dare one say it, the occasional sweetener.

Assignment to the Press

Bureau, the official voice of the Yard, was to Fleet Street what the salt mines were to dissident Russians. You waited for a trickle of information, sure in the knowledge that if something big happened you would probably be the last to know.

Today, the teleprinter in the modern Metropolitan Police Press Bureau seldom pauses as it churns out reports from all over London. There is a 24-hour rota of press officers. One veteran Yard man estimates that the workload has trebled in just a few years.

It all means that any competent journalist is now able to cover the murders, burglaries or gun raids which were once the exclusive province of the Crime Man. In one edition of the Standard, chosen at random, five crime stories were written by general reporters.

The old-style crime specialist correspondent with his black contacts book is finding himself, if not redundant, at least less centre stage. One told me: "The days when you could amaze the news desk by producing an exclusive tale from an informant have virtually vanished. News travels too quickly for that." ITN, once a

POLICE AND THE NEWS

leader in reporting the police on telly, no longer has a crime man, and many newspapers are cutting down their specialist teams from three to two or even one.

Trusted journalists receive unofficial invitations to prestigious raids through an informal rota of guests, officially non-existent, which ensures everyone gets a look in. There are off-the-record briefings, guidance, steers, and all the other shots in the "it didn't come from here, but..." PR armoury.

WHAT we have seen as a result is galloping inflation in crime news. Tales of villainy which would once have made headlines are dismissed in a paragraph or two. Only "good" murders — gang wars, blighted love or a middle-class mystery killing — still hold their value. When I news-edited the Thames News programmes, we would not even consider filming a raid unless £1 million worth of goods was involved. We were

by no means alone.

Even attacks on grannies, once guaranteed a front-page picture in the tabloids under the heading "Find the Animal Who Did This" are now liable to end up across two columns on an inside page.

Burglary, statistically the most feared and among the most frequent crimes in London, posed the Yard a new conundrum. They had to act to reassure a worried public — but a burglary is not sexy in newspaper terms. Solution: add a dimension of violence and melodrama — and invite the media along.

Thus was born Operation Bumblebee, at once a genuine attempt to crack down on burglary but also a new style of operation designed to win the hearts and minds of Londoners through TV and newspapers. Shots of doors bursting open, astonished thieves and their families bleary-eyed in their nightclothes, a hubbub of police activity all went to prove that Something Was Being Done.

Says one former Yard PR man: "You can trace the roots

of the change back as far as Sir Robert Mark's days as Commissioner in the Seventies. He was hated by many of his top men for the way he tackled the fortress mentality which then prevailed in the Met and tried to clean up corruption and other dubious practices. The idea that the police should be accountable to the public was a concept you did not mention."

Other Commissioners took up the running. One insisted on being given his own dressing room and being greeted by a top executive at the studio door before he would discuss his annual report on television. His chair was built up to make him the same height as the presenter interviewing him. But at least he did it.

IT WAS only with the last Commissioner, Sir Peter Imbert, that all doors were flung wide open. Sir Peter took to meeting the Press himself once a month, putting himself in the firing line and being prepared to handle the most difficult questions.

"The Met," as one senior Yard man puts it, "has realised that without the media it is out of touch with the public it serves."

So has glasnost reached its high-water mark? When Thames TV was planning the abortive Channel 5, I took a tape of its Canadian prototype news programme to Scotland Yard. It showed how North America is still streets ahead of Britain in open policing — and sensationalist reporting. As bodies were carried from the sites of disasters, the cameras were there at the same time as the police. Life on the streets became life on a giant TV set. Television did not merely cover the news, it virtually became part of it. And it left the Yard men gasping.

Is this what we want in Britain? If so, we need to change the law, which at present bans the use of information gleaned from police radio. And it will require an even greater shift in the policeman's traditional view of the media. Most of all, it requires us all to decide how valuable is the right of individual privacy in times of crisis. After all, the injured, the bereaved — the victims — can't always answer back.

The hunting of the nark

by Gervase Webb

ALL change at the Yard? If only... but the reality is, as always, not quite so clear cut. The political will for greater openness at Scotland Yard has been there for a long time, but the bottleneck remains the official voice of the Met, the Press Bureau on the ground floor.

Whatever the intention at the top, most reporters will say that they consistently find the bureau's unhelpful, inefficient and downright rude, and that many stories are garnered in spite of rather than because of the civil staff at Scotland Yard.

To be fair, their job has become harder. One incident will generate literally hundreds of calls from Fleet Street, the BBC, ITN and the major agencies down to the dozens of local papers, radio stations and struggling freelances, all desperate for information.

Quite simply, the equipment and the personnel on the ground floor at Scotland Yard are not geared up to cope with that sort of deluge.

Their "rules of engagement"

stipulate that there must be no speculation and nothing can be released unless it is checked back with the officer on the case. As a result, quite often the Press Bureau knows less about what has happened than the journalist making the enquiry.

But there is little doubt that reactive reporting has become easier. Something happens, and the information about it is more readily available because ordinary coppers of middle to upper rank no longer think of the Press as the enemy.

One of the positive spin-offs from their jargon-battered management training has been greater awareness of media image of the police, coupled with the knowledge that a good, emotive appeal about a crime can and does stir witnesses to ring in with information.

However, news is something that someone, somewhere doesn't want

published, and there is still no "glasnost" when it comes to anything critical of the Met's tactics, strategy or policies.

What little information there is on that still comes from old-fashioned "narks" who are still sometimes prepared to put their jobs on the line.

That takes large doses of a basic commodity that no amount of media training can provide: trust. And that is where the traditional crime reporters still have the upper hand. For good or ill, much of their working life is spent with police officers, downing large amounts of drink perhaps, but also building up trust and confidence.

Sure enough, when the next enormity occurs, the first story can be and often is written by any general news reporter on the scene. But in the days and weeks that follow, most of the follow-ups will be broken in the old-fashioned way by an old-fashioned species — us, the crime reporters.

Gervase Webb is the Evening Standard's crime reporter.

EVENING STANDARD 14.7.93

Vigilante's stabbing prompts self-defence study

Alan Travis
Home Affairs Editor

THE Home Secretary is to review the way the law of self-defence works following the acquittal of a man who admitted stabbing his neighbour to death.

Michael Howard faced demands from Conservative MPs for law changes designed, they said, to restore public confidence in the power of the criminal justice system to convict the guilty as well as acquit the innocent. But he insisted he had no power to reverse the jury's "not guilty" verdict in the case of Joseph Elliott.

Last night it was confirmed that the Crown Prosecution Service had considered bringing a lesser charge of possessing an offensive weapon against Mr Elliott, but abandoned the idea once the defendant pressed ahead with his "self-defence" plea, which would legally cover having a knife.

Conservative MPs were joined by senior police officers in condemning the jury's verdict as "perverse" and "calling

for a new right of appeal against acquittals which flew in the face of the facts or the law.

"We have never understood why a judge and jury can be held to be wrong when the accused has been convicted, but are infallible when the accused has been acquitted," said Alan Eastwood, the Police Federation chairman.

The police also had to defend themselves against the charge of failing to respond to previous requests for help from the Osbornes, leaving Robert Osborne apparently with no alternative but to "have a go" himself.

Mr Elliott, aged 19, who was cleared of murdering Mr Osborne, a music teacher, admitted he had stabbed him while high on drink and drugs, and after slashing the tyres of a car belonging to Mr Osborne's brother. He was also cleared of manslaughter.

The jury had been told that Mr Osborne picked up a hammer when he left his home in Streatham, in December to confront Mr Elliott and demand an explanation for the tyre slashing.

Mr Elliott had been using the time with which he stabbed Mr

Osborne to puncture tyres. He told the jury he had panicked and acted in self-defence.

The Home Secretary said yesterday: "There is obviously nothing that can be done in this case. I have intense sympathy for Mrs Osborne. What I have to be concerned about is whether there are any lessons which will be of a wider application in the future."

Home Office officials have been asked to study all the papers in the case, and while Mr Howard made clear he has no intention of removing the plea of self-defence he believes there may be room to revise how it works and the way it is phrased.

John Greenway, a Conservative member of the Commons home affairs committee, last night joined other MPs in calling for last week's Royal Commission on Criminal Justice recommendations to be implemented speedily. "It seems to me this was a case where the previous convictions of the defendant, who had admitted the basic facts, should have been made available to the jury."

Leader's comment, page 21

Clare Dyer and Alan Travis on the lack of a halfway house allowing a manslaughter conviction in cases of excessive force

JOSEPH Elliott might have been convicted of manslaughter if the Government had enacted a recommendation made by the Criminal Law Revision Committee in 1980.

The committee of judges, academics and lawyers suggested that a defendant charged with murder who used excessive force in self-defence should be able to be convicted of manslaughter instead.

The recommendation was reproduced in the draft criminal code produced by the Law Commission, the official law reform body, in 1988.

At present, there is no halfway house in English law. A defendant who successfully pleads self-defence, as Mr Elliott did, is not guilty of any crime. If he falls in his plea, he is guilty of murder.

An accused can only plead self-defence if the degree of force he used was reasonable in

the circumstances. But the fact that the only option if the plea fails is a life sentence may encourage jurors to give defendants the benefit of the doubt.

With manslaughter, a range of sentences — from a complete discharge to life imprisonment — is available, reflecting the circumstances of the crime.

In the case in which Mr Elliott was acquitted of murder, the judge stressed to the jury that a defence of self-defence was lawful if the force used was necessary and reasonable.

"The only lawful justification for this killing that arises is the question of self-defence. A killing in lawful self-defence is no offence at all," Mr Justice Kay said in his summing-up.

He told the Old Bailey jury self-defence was lawful "when it is necessary to use force to resist or defend yourself against an attack or threatened attack, and when the amount of force used is reasonable."

"A threatened attack makes it clear you do not have to wait until the other person has struck the first blow; to do so of course might result in your being incapable of defending yourself."

Until 1967, Australian law allowed a manslaughter conviction for excessive force, but it was then abolished by the High Court, which felt it made directions to juries too complicated.

But senior lawyers yesterday called for it to be introduced into English law. Andrew Ashworth, professor of criminal law at King's College, London, said: "I do think it's a good idea. It's logical. The question is whether it would raise too many issues at some trials."

"The Australians abolished it because it was thought to be too complex to explain to juries... but it's really quite simple."

Nicholas Purnell, QC, a former chairman of the Criminal Bar Association, said: "I think there is scope for looking at the relationship between excessive self-defence and the law of homicide generally. In this country there's no such thing as excessive self-defence — it's either murder or not guilty." The law now states that a de-

fendant pleading self-defence must not have used unreasonable force, but courts recognise this may not be easy to judge in the heat of the moment.

One Law Lord said in a 1971 case: "It will be recognised that a person defending himself cannot weigh to a nicety the exact measure of his necessary defensive action. If a jury thought that in a moment of unexpected anguish a person attacked had only done what he honestly and instinctively thought was necessary, that would be most potent evidence that only reasonable defensive action had been taken."

"A jury will be told that the defence of self-defence... will only fail if the prosecution show beyond reasonable doubt that what the accused did was not by way of self-defence."

John Fraser, shadow solicitor-general, said: "It would be helpful to try to redefine what is self-defence because the barometer seems to swing wildly from one extreme to the other." But Mr Fraser rejected calls for a prosecution right to appeal against a jury verdict and for juries to be told defendants' previous convictions. "That way lies a lot of miscarriages of justice."

Service intended to free officers for more skilled jobs

Police and prison jobs 'lost to Group 4'

Alan Travis
Home Affairs Editor

MORE than 140 police and prison officer jobs have been cut as a result of the Government's decision to ask Group 4 to run part of the prison escort service, according to internal Home Office documents published today by the Prison Reform Trust.

The jobs are going despite claims by Home Office ministers that contracting out would release police and prison officers to concentrate on more skilled jobs.

Prison reformers fear a further 1,700 police and prison officer posts will disappear as the rest of the prison escort service is contracted out.

Tenders are to be invited within the next fortnight to run the escort services covering

London's courts. A leaked Home Office letter to the Chief Constable of Humberside makes clear that the savings to be made by replacing police officers with Group 4 staff on court duties were never intended to be used to increase the number of officers on other operational duties.

The letter notes that 63 police posts were lost in the East Midlands last year in anticipation of the contract.

The prisons covered by the Group 4 contract have also lost jobs. Lincoln is to lose 26 officers; Hull and Leicester 20 each and Moorlands 10. The trust expects the full-time equivalent posts of 1,000 police officers and 900 prison officers to go as the escort service in the rest of the country is contracted out.

The trust says Group 4's record — nine prisoners have escaped — had proved badly flawed in practice and was

wrong in principle. The Government should take the service back into the public sector.

"A new national service is the right way forward from the point of view of the courts and the prison service," said Stephen Shaw, the trust's director.

A prison service spokesman said no police jobs had been cut as a result of the Group 4 contract and they were still hoping to divert the equivalent of 150 officers to operational duties.

The director-general of the service, Derek Lewis, said: "Contracting out has already demonstrated that the escort task can be done more cheaply and efficiently, while freeing staff for core tasks."

"To suggest that a new service costing tens of millions of pounds should be set up without looking to the police or prison service to shed any posts is unrealistic."

MPs told race attacks 'may top 130,000 a year'

Michael Simmons

RACIAL attacks in Britain could be running at between 130,000-140,000 a year, Peter Lloyd, Minister of State at the Home Office, told the Commons home affairs select committee yesterday.

Mr Lloyd said the British Crime Survey which compiled the figure had suggested the "true figure" could be 330,000-plus, but the minister added

that "only a minority are serious acts of violence".

The survey's official statistic compares with 7,793 race attacks reported to the police — down by 89 on 1991 — and one of around 70,000 put forward by the magazine *Searchlight*. The survey questions 10,000 households in England and Wales each year.

Mr Lloyd said there "was only a very small hint" of more violence being used. The number of murders for racist

reasons was so low that no trend was discernible.

Questioned about the recent visit to Britain of the ultra-right French politician Jean-Marie Le Pen, the minister said he thought British society was "robust" enough to "put up" with him. "I would not exclude him (as a visitor) but I am not by nature an excluding person."

He had no evidence of links between the organisation Combat 18 and loyalist paramilitary groups in Northern Ireland.

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15.7.93

BUZZ OFF!

RED-EYED residents have a message for the police helicopter pilots whose late-night, low-flying sorties have given them six weeks of sleepless nights — **BUZZ OFF!**

Noisy chopper cops cruise over homes in Clapton, Homerton and Hackney South every night, keeping youngsters awake, sending frightened pets scurrying for shelter and ruining television reception.

"My wife and I could set our watches

by **JULIE COULSON**

by it. It comes over between half past ten and 11 o'clock every night without fail," said builder Brian Jefferies whose house in Glenarm Road, Lower Clapton, is on the helicopter's regular flight path.

"I have to get up early for work so we normally go to bed after *News at Ten*. We haven't bothered for the last few weeks. There's not much point with the next door neighbour's dog barking at the sky and a bloody great machine outside your bedroom window.

"We wouldn't mind if we thought they were out there solving crime, but they can't tell us there's a ser-

ious crime in the same place at the same time every night. That's rubbish."

Some locals are worried that they are being subjected to something more sinister than noise pollution.

"Am I being watched and why? That's what I'd like to know," said student nurse Hermione Marshman who lives in Powerscroft Road, Lower Clapton, a few hundred yards from Hackney police station.

"I wonder just how much they can see when they come that low. I've stopped getting ready for bed with my curtains open."

The three Met helicopters, which fly into east London from their base at Chig-

— that's the message from red-eyed residents kept awake by low-flying police helicopter

well in Essex, are equipped with searchlights as powerful as a million candles. But police are keen to dismiss fears that residents are being buzzed by Big Brother.

"These are routine patrols, that's all," said Sgt Dave Grant of Hackney police.

"We are aware of the noise problem, but there is a lot of night-time crime in these areas. The helicopters do an important job helping officers on the ground who are chasing suspects or carrying out surveillance."

Sgt Grant said the helicopters don't usually fly lower than 1,000 feet. They occasionally drop to between 700-800 feet and have permission to land in the street if necessary.

Protest over proposed change in law

A PICKET of Stoke Newington police station was staged on Monday to protest at the proposed changes to the criminal justice system.

Hackney Community Defence Association, based at the Colin Roach Centre in Bradbury Street, Dalston, say recommendations contained in a report by the Royal Commission on Criminal Justice could lead to miscarriages of justice.

The report proposes an end to a ruling that the prosecution must tell defence lawyers if allegations have been made against a police officer in any previous case.

Several cases involving former Stoke Newington police officers have resulted in acquittals because of this ruling.

A spokesperson for HCDA said: "The victims of police crime will have less chance of clearing their names if these recommendations become law."

Stoke Newington's top cop, Chief Supt Niall Mulvihill, said: "The demonstration passed off uneventfully. Those who wished to protest did so."



● Pc Alan Maddox.

Pc's youth work comes highly commended

A CARING copper, who has spent the last 10 years of his 28-year stint in Hackney promoting youth and community projects, has been rewarded for his dedication.

Pc Alan Maddox, who is stationed at Stoke Newington, was presented with a Deputy Assistant Commissioner's commendation at an awards ceremony at the Met Police's sports and social club in Chigwell.

Forty-seven-year-old Pc Maddox has set up schools liaison schemes, an education/police advisory group and a force-wide work experience project for youngsters.

"They did not happen by acci-

dent or coincidence, but by the sheer hard work of one man to achieve his vision," said a Scotland Yard spokesperson.

"He identified the need for a strategic response to a variety of difficult situations, replacing the barriers which existed between the education authorities in Hackney and the police service."

DAC commendations are awarded for action that is over and above the call of duty.

Support for councillor's mobile police plans

HACKNEY councillor Phil McCullough has won police backing for his plan to put mobile police units in the borough's street crime blackspots.

Inspector David Christie, from Stoke Newington police station, and Inspector Richard Gelling, from City Road, agreed to put the suggestion to Metropolitan Police Commissioner Paul Condon after it won unanimous support at a recent Hackney crime prevention conference.

Cllr McCullough says the £50,000-plus it would cost to kit out and deploy "a couple of old buses" would be a small price to pay for safety and peace of mind on crime-ridden council estates.

HACKNEY GAZETTE

16.7.93

Police chiefs reject key proposals from Sheehy

Randeep Ramesh

POLICE chiefs have backed junior colleagues by rejecting the key recommendations of the Sheehy inquiry into pay and conditions.

John Burrow, president of the Association of Chief Police Officers, said yesterday that several proposals would damage the ethos of the service and morale of individual officers.

These include fixed-term contracts, performance-related pay, the scrapping of three ranks, and changes to pension and retirement rights.

"Acpo will be seeking immediate discussions of its concerns with the Home Office," said Mr Burrow. The Home Secretary, Michael Howard, is be-

lieved to favour a system linking pay to performance.

The criticism comes as the Police Federation, representing junior ranks, plans a 12,000-strong protest rally at Wembley, north London, on Tuesday. Its campaign is backed by the former Labour prime minister, Lord Callaghan.

But Acpo's response to the month-old report falls short of the federation's call for a royal commission. The association says it accepts the principle of fixed-term contracts for chief police officers and superintending ranks but rejects it for constables, sergeants, and inspectors.

Sheehy recommended that new recruits should start on 10-year contracts, renewable every five years. This was aimed at motivating the best

officers while weeding out the time-servers.

Acpo would prefer to see recently-introduced procedures to deal with incompetence work well and arrangements enabling an officer to leave the force voluntarily with "suitable financial provision".

It rejects compulsory severance as a means of adjusting the age and skills profile of a force.

Sheehy recommended raising the retirement age from 55 to 60 and changing pension provisions.

Acpo says officers should receive their pensions at an earlier age because the job is demanding and dangerous. "We doubt the stresses and strains of operational policing can be effectively carried out by officers approaching their sixties."

It is not convinced that the Sheehy recruitment package will attract people of the right calibre. It rejects the concept of performance-related pay and describes the proposals for overtime as "unmanageable and unfair".

GUARDIAN

19.7.93

Police rally scorns shake-up

Alan Travis
Home Affairs Editor

THE biggest protest rally in police service history last night launched a campaign to persuade the Home Secretary, Michael Howard, to reject the "insulting" Sheehy report on their pay and conditions.

On the day the police accepted a 1.5 per cent pay rise more than 20,000 off-duty officers from Britain's 52 forces packed into Wembley arena and overflowed halls to demonstrate their rejection of Sir Patrick Sheehy's recommendations to run police forces along business lines. The number at Wembley represents more than half the off-duty police officers in Britain yesterday.

Alan Eastwood, chairman of the Police Federation, last night told the Home Secretary: "We are not banging on about pay and conditions. We think we are fighting to save the service we love. We think that Sheehy insults and humiliates policemen and demotes the police officer in society."

"We say to Mr Howard: Turn back from Sheehy, put performance related pay and contracts out of the window. Talk with us."

The rally was organised by the Police Federation and the Police Superintendents' Association 10 days ago. It heard messages of support from more than 25 chief constables and speeches from the shadow home secretary, Tony Blair, and the Liberal Democrats' home affairs spokesman, Robert MacLennan.

Mr Howard, who did not take up an invitation to attend the rally, instead insisted in radio interviews that he was ready to consult before he made any formal response to Sir Patrick's proposals.

"At the end of the day I hope I will be able to take the police with me on a sensible agenda for change," he said.

The Police Federation insisted that it was not staging a

confrontation with the Government. "We will rely on the support of the public and MPs," said Mr Eastwood.

"We do not have the right to strike and we will put across our case by persuasion. The fact that we are holding this meeting is an indication to the public that all is not well in the police service."

He told the rally that the former Home Secretary, Kenneth Clarke, had made a "monumental blunder" in deciding the police were "fair game" for a shake-up. It had thrust the police service to the edge of the cliff.

Richard Wells, chief constable of South Yorkshire, said the Sheehy report presented "a shallow view of police work" which was likely to worsen recruitment, manpower wastage and bureaucracy.

Mr Wells, one of only a handful of officers wearing uniform, said: "This is my 21st year in the police service. I now feel that my chosen profession is in danger of being wronged."

Mr Blair said he would not criticise the Government for taking time to respond to the report's 272 recommendations.

But he added: "The test of police reform for the public is whether it helps to cut crime not whether it allows the Treasury to cut corners or satisfies some mistaken dogma."

Mr MacLennan said the report was malevolent, with its main purpose to cut costs rather than improve policing.

"We have not yet had to live in this country with the effects of a demoralised and divided police force," he said. "It must not happen."

Michael Sheehy, Conservative MP for Uxbridge and the Police Federation's spokesman in the Commons, said yesterday he already had the backing of 18 Tory MPs for his Early Day Motion asking the Government not to adopt Sheehy's recommendations. More than 50 MPs from other parties backed his stand.

Leader comment, page 17

What the force fears

1 Fixed term contracts, initially for 10 years, renewable every five, will turn policing from a vocation to "just another job".

2 Performance related pay will be tied to arrest and conviction rates, and only the very best in the highest risk jobs will be paid more than current salaries.

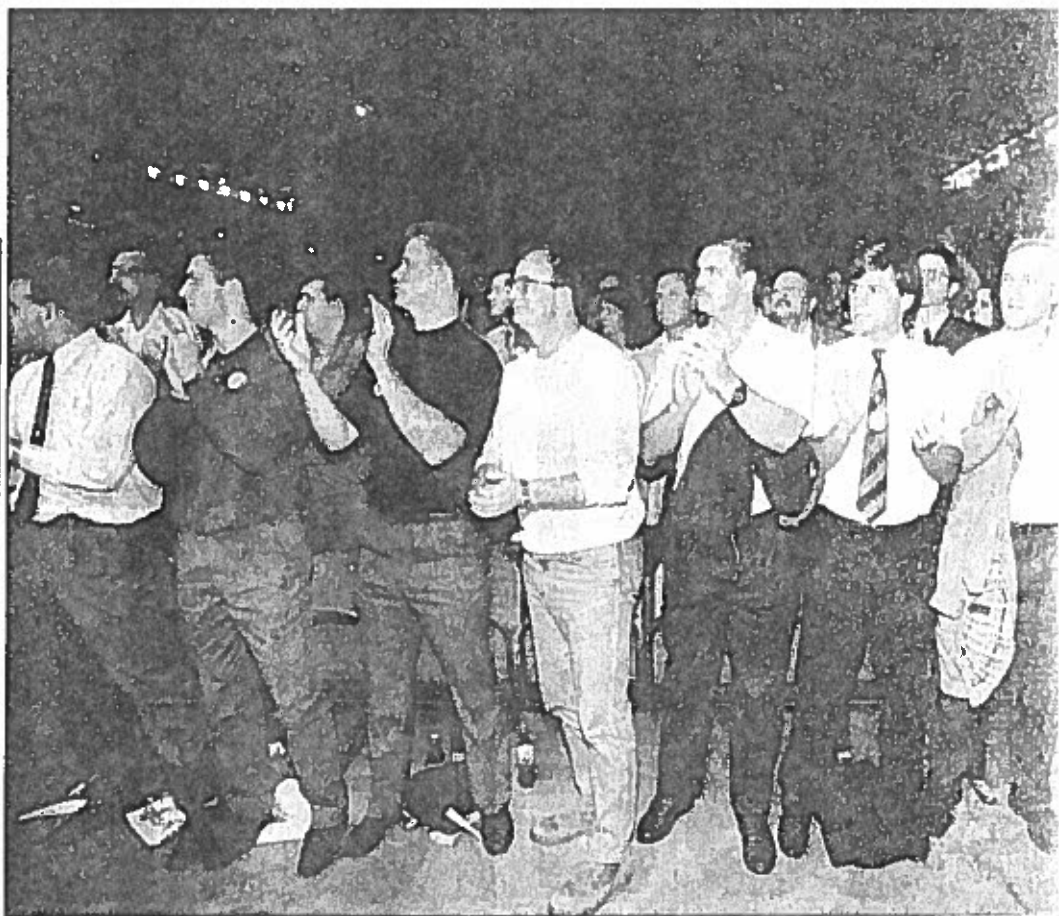
3 All officers will have to serve until 60 but must have 40 years service to qualify for full pension. Police say this will mean officers aged 59 working the late Saturday turn in violent inner cities to qualify for pension, and older entrants will be unable to get full pension.

4 New recruits to be paid £2,000 less than now and, with the abolition of a wide range of allowances, could face salaries up to £5,000 less.

5 Five thousand middle management posts could be axed "simply to adjust the age and skills profile of the force", say Chief Constables and Superintendents.

6 Destruction of the link between police pay and the average earnings index replaced by link to white collar private sector pay.

7 Proposal to abolish overtime payments for constables and sergeants will be unmanageable.



Front-line protest... Off-duty officers demonstrating their anger at the Sheehy proposals at Wembley. Below, the motto over the stage

Officers pack arena to taste other side of pro

Louise Jury finds law enforcers warming to defiance at Wembley but in an orderly fashion

MANY of the protesters streaming into Wembley arena in London yesterday were aware of the irony of their position.

More accustomed to being on the other side in a dispute — the miners, Wapping, the poll tax demos — the police officers wore the stickers and the defiant T-shirts with the Polish Solidarity logo a little uneasily.

"It's embarrassing that the Government forces us to this extreme," said Sgt Peter Davies, aged 37. Eighteen years in the service, he came nursing a broken rib courtesy of a drug dealer, and with as many of the Met's territorial support group from Barnes as could be spared.

"We're the front line. Any trouble in London and we're there," said his colleague, Sgt Malcolm Cumber, aged 33. But they predicted 100 per cent commitment would fade if Sheehy-style contracts were brought in.

"It will become an emergency police force," said Sgt Julian McKinney, aged 32, and 10 years in the force. "We will continue with calls that come in,

but prevention and detection work — forget it. It will be fire brigade policing."

Inside the arena, the law enforcers warmed to their defiance even as the most orderly queues in the history of Wembley formed at the snack bars.

They erupted in cheers when attendance reached 16,000, and stamped their feet in delight when it hit 20,000, with a further 3,000 outside. They laughed when a sequence of slides showing police work was shown accompanied by the lyrics: "Don't go changing to try to please me... I want you just the way you are."

The Police Federation chairman, Alan Eastwood, got a standing ovation as he led the speakers onto the stage. "Never in police history has there been a meeting such as this," he said. "We are angry, we are incensed, but we are police officers," he said.

Twenty-five chief constables and 70 MPs sent messages of support. Eight MPs turned up.

The 7am CID shift from Wellingborough, Northampton-

shire, had travelled straight from work.

Sgt Derek Lewis, aged 48, and due to retire, said: "I'm going to be on the other side of the fence next year. This is not just going to affect the police in their jobs, but the general public outside."

"I'm sure people don't realise what a difference it will make. The Government are trying to run the police as in a factory making widgets. But we're dealing with people."

He had booked in eight or nine prisoners during his shift, while WPC Lorraine Ashworth, aged 32, and Sgt Dick Spriggs, 37, had helped a woman found injured in the street with a six-day-old baby. The WPC had bathed and fed the baby while trying to persuade the woman to talk. Not many points there, she noted, on the arrest scale Sheehy has suggested for performance-related pay.



GUARDIAN

21.7.93

Police changes 'will do nothing to cut crime'

Alan Travis
Home Affairs Editor

POLICE authorities yesterday joined the chorus of opposition to the Government's police reform package, warning that the changes will do nothing to cut crime.

Conservative councillors were among representatives from 40 of the 43 police authorities at a rally in London to condemn the white paper plans of the Home Secretary, Michael Howard, to abolish the local government majority on authorities, replacing some elected councillors with appointed business people and headteachers.

Their meeting followed the largest rally in the history of the police service at Wembley Arena on Tuesday, when 23,000 off-duty officers protested at the recommendations of the Sheehy inquiry into their pay and conditions.

Yesterday councillors said the white paper proposals would mean that local government will lose control of the

£6.5 billion annual police budget to unelected quangos appointed under the patronage of the Home Secretary.

"There is no service which needs the support of the local community more than the police," said Josie Farrington, vice-chairman of the Association of County Councils. "Policing will only work with the consent of the general population."

The public did not have the same degree of confidence in the appointed boards now running the health service as they did in locally elected councillors, she said.

Labour's shadow home secretary, Tony Blair, told the meeting that Mr Howard's claim that a centrally appointed businessman was closer to the community than a democratically elected local councillor was absurd.

The combined effect of the white paper and the Sheehy inquiry — both of which will be implemented in legislation in the autumn — would be a centralised police force which would do little to combat the rise in crime, he said.

GUARDIAN 22.7.95

Howard woos police chiefs on reform

Alan Travis
Home Affairs Editor

MICHAEL Howard, the Home Secretary, has called urgent talks with chief constables next Tuesday "to explore possible areas of agreement" over the Sheehy inquiry's proposals to introduce short-term contracts and performance-related pay into the police force.

The invitation was issued after this week's 23,000-strong rally of officers condemned the report of the inquiry into their pay and conditions, chaired by Sir Patrick Sheehy, the chairman of BAT industries, as a "blueprint for disaster".

The Government's urgency was demonstrated last night by the decision to ask Home Office officials to hold three days of preparatory talks — including Saturday — with the three police staff associations.

The president of the Association of Chief Police Officers, John Burrow, who will lead the chief constables meeting Mr Howard, said the campaign against the Sheehy report, published only three weeks ago, was already having an impact.

"We hope we can rule out or modify some of the more radical proposals," he said after chief constables spent three hours discussing its 272 recommendations and a white paper proposing reforms of police au-

thorities. Chief constables have started lobbying MPs and peers over the issue.

A Home Office spokeswoman said the meetings were "to explore possible areas of agreement with and between the different police staff associations so there can be a common framework for the discussions". Tuesday's meeting is officially billed as a discussion of "personnel issues arising from the white paper" to spare the blushes of those police staff associations which have said they refuse to accept Sheehy's report as a basis for talks.

Mr Howard has tried to calm police anger and insisted he will consult widely before he makes up his mind in Septem-

ber about which of Sir Patrick's recommendations he will put into legislation this autumn.

"We need to explore the ways in which we can obtain lasting and beneficial change in the police service," he told the Commons yesterday.

Chief constables, who have welcomed some of Sir Patrick's recommendations, made clear yesterday that the proposals they wish to see modified include fixed term contracts for the lower ranks, raising the retirement age from 55 to 60, lower starting salaries and a link between pay and performance. These were all proposals driven by "social market forces" said Mr Burrow, the chief constable of Essex.

GUARDIAN 23.7.93

Jailed accountant is fighting for his future

AN UPPER CLAPTON man, who has spent six years fighting to have his name cleared by the Court of Appeal, is waiting to hear if the Home Secretary will re-open his case.

Mohammed Patel, of Warwick Grove, said his accountancy career was destroyed when he was convicted of obstructing a police drugs investigation - he has been unemployed since leaving prison in March, 1991.

Police claimed Mr Patel confessed to tipping off a suspected heroin dealer following their request to see details of his account at the Muslim Commercial Bank.

Mr Patel was convicted on the strength of the alleged confession, which he denied making, and received a four-year prison sentence in November, 1987.

He served 28 months at High Point prison in Suffolk, alongside Jockey Lester Piggott, who was serving his sentence for tax evasion.

However, Mr Patel's solicitors, Hickman and Rose in Kingsland High Street, Dalston, have collected new evidence claiming to show police partly re-wrote his confession.

In 1988, Lord Justice Lane refused Mr Patel leave to appeal against his conviction.

Mr Patel, his solicitor and members of the campaign group Justice for Mohammed Patel recently travelled to the Home Office in Queen Anne's Gate, Victoria, to present the case for an appeal.

The Home Secretary, Michael Howard, will now have to decide whether to re-open the case. A Home Office spokesperson confirmed Mr Howard was examining the case.

Mr Patel, a father-of-two, told the Gazette: "Obviously, with this conviction, I cannot work as an accountant. All I want to do is clear my name and provide for my family again."

The plight of Mr Patel was featured on Radio 4's *File on Four* programme on Tuesday.



● Mohammed Patel - unemployed since his release from prison.

HACKNEY'S CHIEF EXECUTIVE GIVES EVIDENCE TO INDUSTRIAL TRIBUNAL AND DENIES CLAIM THAT...

'Council officers were habitual liars'

THE chairman of an industrial tribunal hearing allegations of "improper" activities at Hackney Council conceded: "In large councils you are bound to get senior officers who are imperfect."

Kuton Menon made the comment after the Croydon hearing was told that a large number of Hackney senior officers were "habitual liars."

An investigation into the council's activities by the local Ombudsman concluded in November, 1990, that senior officers had lied to councillors and staff, and were likely to continue doing so.

"The suggestion is not of one or two rotten apples, it is the whole barrel - a large number of senior officers who habitually lie," said Peter Hall, counsel for the former Hackney auditor, Colin Cornelius, who claims he was unfairly sacked for exposing improper activities.

Hackney's chief executive, Jerry White, agreed there were examples of senior officers lying to councillors in the past.

"White-collar crime in the public service and the private sector is an epidemic," said Mr White.

"It would be foolish for anyone to say an organisation such as

mine was free from such people."

However, Mr White denied Mr Hall's claim that a large number of such officers habitually lied.

Mr Cornelius, 34, claims he discovered in 1988 that the Hackney stores manager, Larry Lobjoie, had improperly ordered £28,000 worth of kitchen units and accepted "hospitalities."

Mr Cornelius tried to alert his superiors and suggested calling in police, but, he claims, his efforts were "hampered."

In December, 1990, he handed confidential papers to his union representative and the following year circulated criticism of his bosses to other staff members.

A year ago, Mr Cornelius was sacked for breaching Hackney's code of conduct. He also claims he suffered unfavourable treatment by his employers under the Race Relations Act.

Mr White said he was not aware of any other case at Hackney involving allegations of racism.

Every manager responsible for appointing staff underwent two training courses covering equal opportunity and race relations lasting a total of five days, he said.

This was followed up with seminars and team-building exercises.

● The hearing, which began in April, was adjourned until Monday, August 2.

Sorry about our noisy helicopter

FOLLOWING last week's story in the Gazette, I would like to take the opportunity to apologise to any Hackney residents who have been upset by the recent police helicopter activity in the north of the borough.

We know that the noise of the helicopter - which, incidentally, is one of the quietest machines available - can be disturbing, and we make every effort to limit flying time at incidents to avoid undue disturbance.

However, over the last few weeks we have received a number of reports concerning shots being fired or armed suspects being sighted in and around the filter beds in Lea Bridge Road.

These calls have been late at night and the most efficient and safe way to conduct the necessary searches has been by the use of the helicopter with its special equipment in support of local foot officers.

Please be assured that we are very conscious of the need for police sensitivity and we have no wish to upset the public, but we have a difficult job to do in protecting them and must use the most appropriate equipment to help us in this task.

Also, remember that the police are not the only people overflying residential areas. There are also helicopters operated by the air ambulance, local radio traffic reporters and countless commercial operators who could sometimes be responsible for noise and nuisance.

- SUPERINTENDENT DAVID HYNES, HACKNEY POLICE.

HACKNEY GAZETTE

23.7.93

Detectives criticised as man is cleared of killing

A MAN accused of the murder and mutilation of a prostitute was acquitted at the Old Bailey yesterday after a jury was told that the woman detective in charge of the case "did not know what she was doing".

David Smith, 37, a lorry driver, thanked the jury which unanimously cleared him after three hours' deliberation of the killing of Miss Sarah Crump, 33, who worked as a hospital secretary by day and a massage parlour hostess and escort agency prostitute by night.

Mr Ronald Thwaites, QC, delivered a contemptuous attack on Det Insp Jill McTigue, who led the inquiry team of 35 officers.

He said she and an older male detective had constructed a case that was "all invention", and alleged they had "suppressed" vital fingerprint evidence which ruled out Smith as the killer.

"This case was her first murder as a detective inspector and unfortunately she was not equal to it," he said. "Together with a superintendent on the verge of retire-

By Sean O'Neill

ment — someone about to retire — it's all too much trouble, isn't it?

"And this inexperienced woman officer tells you herself by her actions — not betrayed by arrogance, but by her actions — she doesn't know what she is doing in this case."

Ms McTigue, an Australian and qualified pilot, came to England 17 years ago determined to join the Metropolitan Police.

She said after the verdict: "The case is closed. We are not looking for anyone else in connection with it."

The murdered woman's mother, Mrs Pat Rhodes, said the kindness of the police had been matched only by their professionalism. "They never covered anything up," she said.

Miss Crump, who worked under the name of Angie, was found murdered last August in her ransacked flat at Lady Margaret Road, Southall, west London. Her body had been mutilated. She had started working as a prosti-

tute, unknown to her mother and boyfriend, three years ago to pay her mortgage and raise money for fertility treatment.

Miss Crump had taken exams in psychiatric nursing and was working as a part-time receptionist at Wembley hospital, north west London.

Mrs Rhodes said: "My daughter was only trying to pay her bills. She only worked as a prostitute about once every two weeks."

"If we had known what she was doing we would have done anything to help her. She was a lovely girl."

Smith, of Hampton, west London, admitted paying Miss Crump for sex on the night she died, but consistently denied killing her. He refused to talk to reporters as he left the court carrying his possessions in a black binliner.

Mr Thwaites told the court there had been no scientific evidence against Smith. During the first eight months of the investigation police had suspected a former boyfriend of Miss Crump.

INDEPENDENT

24.7.93

Met suspends three after leaks inquiry

Kevin Toolis

THREE policemen have been suspended, one of whom has resigned, after a secret internal inquiry uncovered leaks of criminal intelligence material from Scotland Yard.

The inquiry was undertaken by Commander Eric Humphrey, head of the Criminal Investigation Bureau, the Metropolitan Police's internal investigation branch, into allegations that criminal intelligence was being sold to private detective agencies. It is understood the inquiry was conducted under the Official Secrets Act because of the sensitive nature of the material held on police computers.

Two Scotland Yard officers from the force's Criminal Intelligence Branch, SO11, which holds information on major criminals and their associates, were suspended. A sergeant at

the top-security Paddington Green police station was suspended and later resigned.

The Yard officers, Detective Constable Brian Liddell and Detective Constable Larry Baldry, are believed to have had access to SO11's extensive computer files, including the results of detailed covert surveillance on several leading London gangs.

The sergeant, George Napier, a 30-year veteran, offered his resignation over alleged leaks of charge-sheet information from Paddington Green — where terrorist suspects and major criminals are interrogated.

The CIB investigators are understood to have tapped confidential telephones lines within SO11's offices in Scotland Yard in a bid to uncover the sources of the leaks.

An audit of calls linked officers to mobile telephones.

0852628 25.7.93



Paul Condon: Position might become untenable.

Onslaught by Met chief on Sheehy

David Rose
Home Affairs Correspondent

BRITAIN'S top policeman has made a devastating attack on the Government's plans to reform the police, describing them as likely to 'undermine the office of constable'.

In an exclusive interview with *The Observer*, Paul Condon, Commissioner of the Metropolitan Police, said that his own position might become untenable if Sir Patrick Sheehy's report on police pay and conditions was enacted in its entirety. The report, published last month, proposes subjecting police to 'the market', using fixed-term contracts and performance-related pay.

Mr Condon said: 'I would find it very difficult to be a well paid Commissioner, presiding over a demoralised, badly paid

Metropolitan Police. There would be a feeling that the chief officers had benefited but the historic office of constable had been sold out.'

Mr Condon, 45, is seen as exemplifying the new breed of modernising, cost-conscious chief officers. Last week *The Observer* revealed that Home Secretary Michael Howard was considering a U-turn on Sheehy's most controversial recommendations — a development which Mr Condon's attack will encourage.

Mr Condon said that he supported some of the Sheehy proposals, such as flattening the rank structure and cutting the number of middle-ranking jobs. He agreed with its 'ambitions and principles'. But the inquiry had 'just not understood the motivation and nature of policing at street level', and in rela-

tion to sergeants and constables, 'they have put together a bad set of recommendations'.

It was right that means should be found to sack what he termed the lazy 'uniform carriers'. But imposing fixed-term contracts for all officers was 'using a sledgehammer to crack a nut,' he said. Officers already serving face going on to contracts if they are promoted; this would 'freeze existing officers into place in an unacceptable way'.

He said: 'The office of constable is not about being any kind of worker. It's about the oath of allegiance, the use of discretion, and responsibility under the law. As Commissioner, I cannot say, "Officer, arrest that man". This is an office which has emerged from history: of the people, for the people, with a sense of vocation.

'They are not counting beans or watching cigarettes come off a production line. I'm not sure that saying, "Here's a 10-year term, and we might not renew it," carries on that historic office. I'm prepared to be a Commissioner presiding over modernisation. But I'm not prepared to be one who presides over the undermining of the office of constable.'

Mr Condon said he would like to reward the best officers more generously. But measuring performance under the rigid 'points matrix' proposed by Sheehy risked a situation where 'half of us would be working out how much the other half should be paid'.

He feared that Sheehy's 'draconian package' would damage other reforms. 'At the moment, I can put policemen under a lot of ethical pressure because

they're well paid. But I can remember the days when pay was low, and there were everyday temptations to corruption.'

Mr Condon added that the plan to make 60 the retirement age was wrong: 'The thought of a 58- or 59-year-old officer rolling around on the floor with a suspect is mad. Sheehy says they can have desk jobs: but there aren't enough.'

Cutting pay for entrants would reduce their quality, he said: 'If the notion is, with three million unemployed, you'll get enough policemen, I'm not interested. I don't want enough policemen, I want the best.'

He concluded: 'The proposals would affect the quality of recruits and undermine morale, dramatically affecting the nature of policing at street level.'

Police misery, page 2

Memo to Sheehy: You're joking

David Rose, Home Affairs Correspondent, finds every face turned against the pay-and-conditions report.

'I SPENT six months in the miners' strike in Nottinghamshire, six months without my son, who was six months old when it started. I believed in what we were doing, though my in-laws worked in the mines and it caused unbelievable conflict at home.

'I knew the people on the picket lines were nice people, in desperate straits. But the Government hyped us to such a degree, told us they'd never let us down. I suffered because of them. And now they do this.'

The speaker is a Drug Squad detective in Northumberland, 13 years in the force. He believes Sir Patrick Sheehy's inquiry into police pay and conditions, an attempt to make the service conform to 'market' principles, will 'destroy a service that is the envy of the world'.

He added: 'We have been betrayed. I love my job; the job is my life. Because I love it, my life is in a state; my marriage is a mess. But if this is enacted, I am going to leave. And meanwhile, if they asked me to police a strike next week, I wouldn't bloody do it. I'd go sick.'

In a newspaper interview, BAT Industries chairman Sir Patrick claimed that only the

'Should the economy improve, the sound of feet marching out will be deafening.'

lazy or 'inefficient' had anything to fear. He suggested that the 21,000 officers (nearly half of all those in the country off-duty at the time) who packed a Police Federation rally at Wembley last week were an 'unrepresentative' minority.

But the impression from police canteens and social clubs is the unanimity of his critics. From the byways of rural Leicestershire to the conurbations of the North, the normal insistence that a reporter 'go through the Press Office' before a policeman could open his mouth has been cast aside. Senior officers seeing *The Observer* talking to their subordinates insisted on buying a drink and having their say. The police, perhaps for the first time in history, are speaking with one voice.

Sgt John McQuaid, 53, from Melton Mowbray, Leicestershire, said the proposal to lower

entrants' pay and impose fixed-term contracts would cause a drastic reduction in recruit quality. 'In years gone by, they had vans outside factories where people were being made redundant, they were so desperate for officers. Now we pick and choose.' He feared a return to the desperate conditions of his early service, nearly 30 years ago: 'Milk tokens for the kids; we couldn't buy butter in the supermarket.'

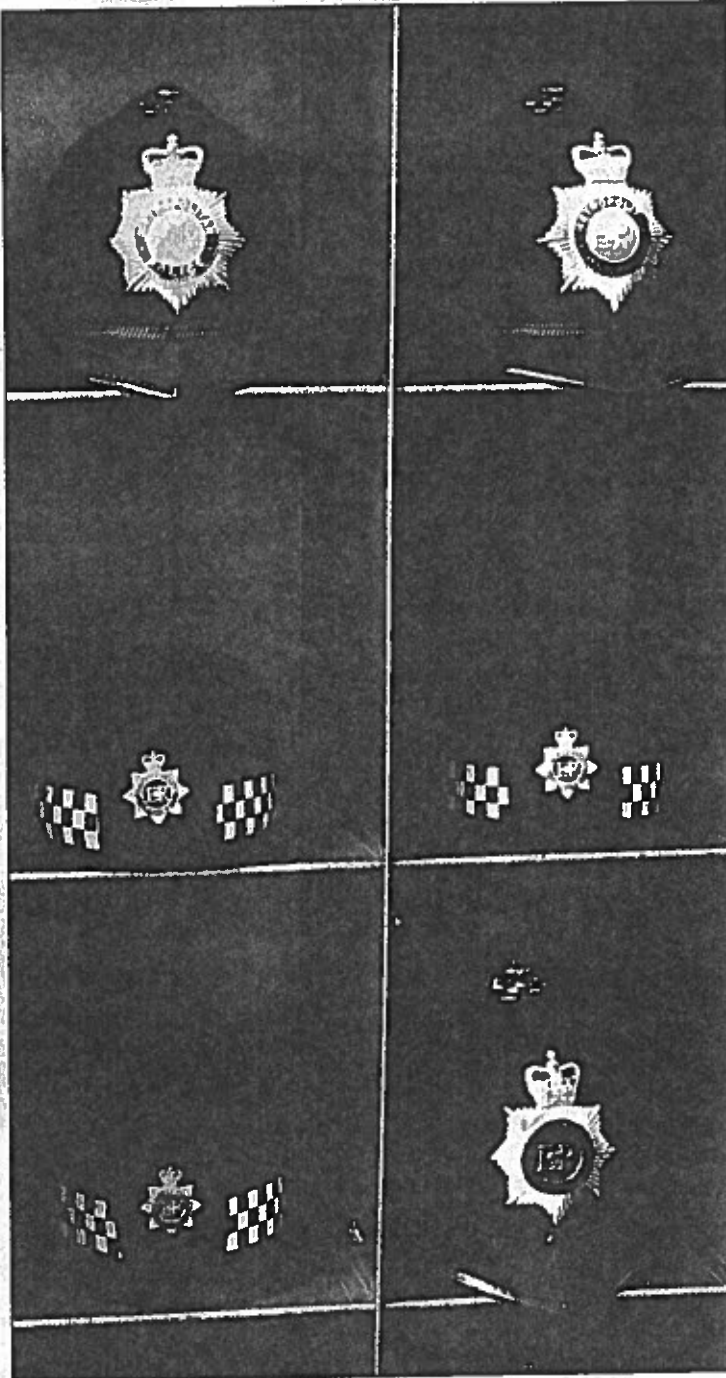
Since Lord Scarman's report on the Brixton riots criticised the immaturity of officers, the average age of entrants has risen. Last year in Leicestershire, it was 25. But the Sheehy Report says only officers with 40 years' service should get a full pension, and that they should not retire until 60; a huge disincentive to the graduate or older applicant. PC Rex Holt said: 'This report relies on high unemployment. Should the economy improve, not only will there be no recruits, the sound of feet marching out of this job will be deafening.'

It was a view borne out by a group of constables about to end their training at the northern region academy in Durham. They had battled to join the police, survivors of a rigorous selection process of tests and exercises which in the Seventies would have been unrecognisable. In Northumbria last year, only 29 of 3,000 applicants were successful; in South Yorkshire, 120 from 4,000.

The Durham trainees' qualifications and experience were as impressive as they were varied. Adrian, 25, from South Yorkshire, had left a promising career as an engineering manager, with highly developed computing skills. He said: 'When I phoned my father to tell him I'd been accepted, he cried, he was so proud. It was the best day of my life. Then, two-and-a-half months later, they bring out this report.'

'In engineering, you're only working for the top people, the shareholders. In the police, you're working for everybody. Market principles work where there's an end product. In this job, there's no product: in fact, the idea should be to avoid the product in court, because prevention is better than cure. It's as if the Government wants to punish us.'

Several recruits doubted they would have applied had they known the contents of the Sheehy Report. Under its



On the shelf: A policeman's lot is still not a happy one./Photograph by John Reardon.

terms, they would be safe from fixed-term contracts, if they stayed at PC level, but immediately lose their security on promotion.

Martin, 28, who waited 30 months for a vacancy in South Yorkshire, said: 'The thought that if I move up, they can turn round after five or 10 years and say, "That's it, thank you very much" is deeply unsettling.'

He foresaw deep divisions between pre-Sheehy and post-Sheehy entrants: 'It will undermine teamwork, the bedrock of the service, causing untold resentments. You need to know you can rely on the voice at the other end of your radio.'

The academy commandant, Ch Supt David Beal, said he felt a sense of despair: 'At a time

when the police have been thrusting forward to provide a better quality of service, Sheehy will create blue uniformed mercenaries, rushing from job to job. The authors of the report have no concept of what it's like to be a police officer.'

Other widely detested Sheehy proposals are 'performance-related pay', and salary differentials within the same rank according to posting. Melton Mowbray, where just 100 officers cover 40 per cent of Leicestershire, would rate as 'less demanding' than an inner-city post, and hence be at the lower end of the pay scale.

Ch Insp Mick Graham sees comparisons of this kind as invidious. 'In an inner city, if you get into trouble there's

another officer round the corner. Here, I'm asking my officers to stop motorists at night on deserted lanes and break up pub brawls where help might be 20 minutes away. It may be the country, but there are nightclubs, murders, the full gamut of crime. Every year officers are assaulted.'

'And on any shift there will be good thief-takers, highly-motivated traffic officers, and others who don't make many arrests but do a damn good job for the community. How do you measure their performance?' The report, he added, had 'rocked the foundations of the police service'.

PC Holt said Sir Patrick had failed to see what policing was about: 'You work on your own,

facing danger, with huge responsibility: your split-second decision can be argued over in court for days. It's not like manufacturing. This is not a competent report. It is motivated only by cost: employ young men on fixed contracts, who will be cheaper, then sack them.'

Sgt McQuaid said few officers would ever reach the proposed retirement age of 60. 'It's a joke. On my shift, at 53, I'm seen as Methuselah. At 60, a PC will be burnt out.'

Det Insp Jim Donaghue, 40, said Sir Patrick was selling his report on the claim that the service was stuffed with lazy officers. 'If one of my detectives were lazy, it would show up, because we've only got four of them, and it would be sorted out. The policeman is entitled to feel secure.'

Few constabularies are as dangerous as Northumbria, which includes Tyneside. In an average week, the local federation is notified of 40-60 serious assaults on officers. The bitterness there is intense.

A detective sergeant with 21 years' service recalled that his first pay cheque was a quarter of his previous factory salary. 'There wasn't any money to play with for a very long time.'

He regarded with contempt the Sheehy proposal to abolish overtime. He was already owed so many days in lieu he had lost count. But to be told to work

'You can't say to a victim, "It's two o'clock. I'm going off shift, stop crying".'

extra without reward, while at the same time facing a fixed-term contract, was different.

His colleague, a detective constable and veteran of undercover work, said that last year four men in balaclavas smashed his car to smithereens, outside his home. The sergeant said: 'You only get that aggravation if you're good at your job: you get it because you're good at your job. What does Sheehy say about that?'

He added: 'You can't turn off the level of assaults and rape. You can't say to a victim, "It's two o'clock. I'm going off shift, stop crying". If I was on a contract, would I be prepared to be a policeman 24 hours a day? Would I hell. If I'm on a lower salary, I can still get my head kicked in.'

Another detective said serious crime might go uninvestigated: 'Last year, 27 of us spent months getting a drug dealer put away for 10 years. But what if we earned more pay by catching 100 shoplifters. Is that what the public wants?'

Politically, Sheehy is stripping away the traditional Conservative bias among police. Like the Durham recruits and the officers in Melton, the Tyneside officers compared the proposals to the depredations made against the Health Service and the BBC, to privatisation and the emergence of a 'two-speed' society.

A sergeant said: 'We defeated the miners to keep them in power and now they're destroying our infrastructure, everything that made Britain great. To them, everything has a price tag. I have never known such insecurity, everyone is addressing their future, frightened to death that the service they joined is coming to an end. I'll never vote Tory again.'

Police claim that plans to link pay with performance will distort their work. But they have not grasped how the reform would operate

Case of the hostile cops

Patrick Sheehy

THE Police Federation and the Superintendents' Association have been highly critical of the reforms on pay and conditions suggested in our report. The Federation has placed a series of advertisements in national newspapers first asking people: "Do you believe the police should compete against crime... or against each other?" then using their former parliamentary adviser, Lord Callaghan, to attack the report. Last week saw a mass rally at Wembley, and more protests are planned.

It is important to put these criticisms into context. There are a number of recommendations in the report which have caused concern among police officers, notably proposals to bring pension arrangements more into line with those in other sectors and the use of fixed term appointments. The proposals need to be examined carefully; the Home Secretary has made clear his willingness to listen.

The cornerstone of the proposals, however, is a scheme to relate pay much more closely to the job police officers actually do, rather than their length of service. The report suggests this could be achieved by identifying the factors which should influence the rewards an officer receives: indicating how performance might be measured; and testing the application of the proposals in a police force.

The report identifies four principal factors which should influence officers' pay:

- The nature and level of responsibilities — jobs done by officers of the same rank vary widely.

- The circumstances of the role — some jobs expose officers to risk of injury, some require them to work long hours on a regular basis, others are unpopular and hard to fill.

- Experience and skills required — many jobs require additional skills and experience beyond initial training, including firearms handling, advanced driving, use of technology, financial management.

- Performance — some officers do a better job than others,

the good performers and, the poor performers know who they are; and so do their supervisors.

The report's fundamental premise is that each of these differences should be formally recognised in the pay scheme. This will make it more equitable and will encourage officers to give their best in the role best suited to their capabilities.

Police Federation spokesmen have challenged the practicality of measuring performance and claimed it would lead to serious distortion of officers' behaviour and priorities. There is a widespread presumption that measures would be restricted to numbers of arrests and tickets issued.

These are understandable concerns. But the temptation to measure only what is easy to measure as opposed to what is important is a common trap in evaluating staff performance in many types of occupation, not only policing. Setting objectives for individuals and assessing their achievements will affect their behaviour and priorities — that is the intention. The process will require skill and effort to develop the assessment systems, but these are essential aspects of good management.

The starting point for establishing individual performance objectives has to be the objectives of the force overall. The service has gone a long way towards articulating these in recent years. This is another point which the inquiry's critics have tended to overlook.



The Government's white paper will require this process to be taken a step further with the publication of local policing plans. These need to cascade down the force organisation to individual teams and officers, taking account of local circumstances and priorities. In this way, everybody in the force is working towards a common agenda and they all understand how they are expected to contribute.

The white paper suggests, for example, that key objectives for the next year might include these aims: to reduce levels of particular types of crime against persons by targeting operations on those crimes; to work with the local community in crime prevention; and to increase the proportion of policing time spent on patrol.

These are consistent objectives which have direct relevance for most officers in the force. For a patrol sergeant on an inner-city beat, for example, these objectives could be translated into individual requirements to develop links with the community by attending local consultative committee meetings every month; reduce street crimes by appointing a constable to lead the initiative, focus-

ing patrols on key areas at prime times and undertaking a publicity campaign; increase time on patrol by 10 per cent by reviewing rosters and sickness absence and ensuring administrative support is available.

Many good officers already regard such objectives as routine parts of their job. Others need more specific guidance. All deserve reassurance that they are doing what their managers consider to be important.

Some commentators have expressed concern that objectives will conflict with each other. This may well be the case, but it is better that such tensions, which exist anyway, are made explicit. Balancing such conflicting priorities is a fundamental management skill. It is not a problem which should be delegated to each individual officer to make a personal judgment about.

Naturally introducing such a system into the police service represents a tremendous challenge. At the same time we believe that the overall framework proposed provides a sound basis for improving the quality of policing into the next century. This has so far been borne out in practice.

As part of the development of

the inquiry's proposals, a small pilot exercise was conducted to test the practical application of the pay assessment factors in an area command. After an initial period of uncertainty about how the scheme might work, the area's management team very quickly came to grips with the practicalities. Within a matter of hours they began to appreciate the flexibility and opportunities which the proposals had to offer. Equally, the exercise reinforced what we already appreciated — that there would be a considerable learning curve involved in implementing the scheme. As more police managers go through such exercises, we are confident that they also will see the potential of the proposals.

The report represents a unique opportunity to improve the police service both for the public it serves and for the dedicated officers who work within it. It would be a tragedy if that opportunity was lost because people had been misled about the nature of the proposals.

Sir Patrick Sheehy, chairman of BAT Industries, headed the inquiry into police pay and conditions which reported earlier this month.

Tragic to miss chance to improve police, says Sheehy

Alan Travis
Home Affairs Editor

SIR Patrick Sheehy has warned that it would be a tragedy if the opportunity to improve the police service was lost because people had been misled about the nature of his plans to reform pay and conditions.

The chairman of the Government's inquiry into police

rewards and responsibilities, writing in today's *Guardian*, denies that the yardsticks to measure performance-related pay for the police will be restricted to the number of arrests made and tickets issued. He hints that his proposals on police pensions and fixed-term contracts may be dropped.

His intervention comes as Paul Condon, Commissioner of the Metropolitan Police, warned that he might find it too

difficult to remain in office if Sir Patrick's report was implemented as it stood.

The Home Secretary, Michael Howard, will meet chief constables tomorrow in an attempt to find some "common areas of agreement" over the three-week-old report, which has united the police service in opposition and provoked a 23,000-strong protest rally at Wembley.

Sir Patrick claims that a pilot

scheme in one force command area proved to the local police management team the "flexibility and opportunities" his proposals had to offer.

While he describes the plan to end the system of paying police officers by rank and length of service as the cornerstone of his report, Sir Patrick hints that he may be less firmly attached to his proposals on pensions and fixed-term contracts.

He concedes that the Police Federation and the Superintendents' Association have greeted his proposal with unequivocal hostility and says he recognises that a number of recommendations have caused concern among police officers.

"Proposals to bring pension arrangements more into line with those in other sectors and the use of fixed-term appointments need to be examined by the police service and discussed carefully," the Home Secretary has made clear his willingness to listen.

But he says the plan to end the tradition under which all police officers of the same rank are paid the same failed to recognise different

responsibilities. Some officers worked in squads dealing with fraud or drug investigations while others were engaged full-time in jailer duties or working as control room operators.

The Metropolitan Police Com-

missioner said at the weekend that he believed the "Dracinnan" Sheehy proposals would end the sense of vocation in the police force and undermine the historic office of constable.

"I would find it very difficult to be a well paid commissioner, presiding over a demoralised, badly paid Metropolitan Police. There would be a feeling that the chief officers had benefited but the historic office of constable had been sold out... I'm prepared to be a commissioner presiding over modernisation. But I'm not prepared to be one who presides over the undermining of the office of constable," he told the *Observer*.

Sheehy defence, page 18

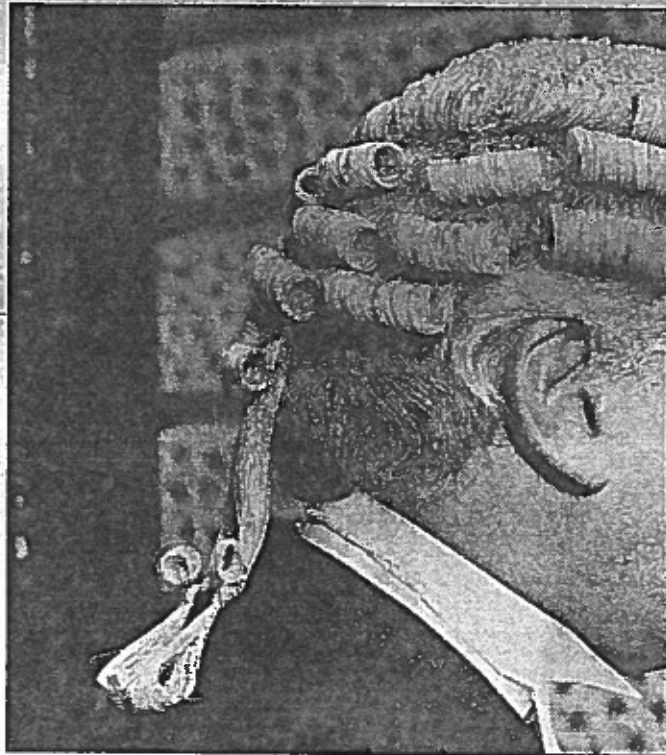
GUARDIAN 26.7.93

The case of a man who protested that his barrister started snoring in court raises disturbing questions about how the Bar Council deals with complaints

Time to give the Bar a wiggling?

CAREY DINW

27.7.93



Objection over-ruled... the legal service ombudsman wants to reform the Bar Council's complaints procedures

PHOTOGRAPH: JACKY CHAPMAN

Jolyon Jenkins

ROBERT is in prison, doing time for GBH. He claims he is not guilty, and has been given legal aid to appeal. But his case is interesting not so much because of him, but because of what it shows about the way the Bar Council deals with complaints against its members.

According to Robert, the barrister who represented him failed to ask the right questions in court, did not challenge prosecution witnesses properly, failed to turn up for a pre-trial conference in prison, arrived late in court for the trial — thereby delaying the start — and fell asleep during the judge's summing up.

Robert complained to the Bar Council's Professional Conduct Committee (PCC), the body that first examines complaints and passes them on to a tribunal if it sees them as particularly serious. It dismissed the first two complaints, and upheld the third and fourth. But on the fifth — the allegation that the barrister fell asleep — things seem to have gone badly awry.

The way Robert tells it, the barrister's courtroom demeanour sounds like a serious lapse of professional competence: "He was totally out of it, and after about 20 minutes he started snoring. That really got me, because everyone in the court started laughing — the jury, the people in the gallery, the judge, the usher. I could not believe what was happening. My freedom was in this man's hands, and he was asleep. Eventually the usher had to wake him up."

The PCC asked the barrister for his side of the story. He denied being asleep and wrote: "I recall that at some stage that afternoon my head was bowed down. I was not feeling well. I had some difficulty breathing. I am asthmatic. However, I was able to take notes which I used to prepare my complainant's appeal."

You might expect the PCC to try to adjudicate on such a serious charge. Instead it did a quite extraordinary thing. It told Robert that his complaint had been upheld. Simultaneously, it told the barrister that the complaint had been dismissed. To Robert it wrote: "The panel found a *prima facie* case of professional misconduct, and in accordance with the rules [the barrister] was admonished." To the barrister it wrote: "The panel expressed and expresses no view as to the validity of this complaint, since the panel is neither empowered, nor qualified to make findings of fact in the event of dispute."

The issue is complicated slightly

by the fact that in the letter to Robert, the PCC is dealing with three complaints together, including two for which the barrister was indeed admonished. But nowhere does it indicate that the complaint about sleeping was treated any differently from the other two. Indeed the anecdote appears, as established fact, in a dossier compiled by Justice about the shortcomings of barristers. Naturally, neither side has seen the other's correspondence. And since the results of the PCC's adjudications are never published, until now neither side has known what the other was told.

The Bar Council says it cannot comment on the discrepancy, because the files have been sent to the legal services ombudsman. The ombudsman has the power to tell the PCC to investigate the complaint again, this time fully.

That is what happened in another case, that of Mohammed, a former accountant in a bank. He was convicted of tipping off someone under investigation for alleged money laundering. The prosecution case against him rested on a disputed and unsigned confession. He feels that his barrister did not represent him adequately in court and his new solicitor, Jane Hickman, having read the trial transcripts, agrees: "My concerns range from the failure to examine documents that were crucial to the defence, through to the failure to put over the defence case properly in court, or to cross-examine the officers properly. It was quite clear that the barrister did not really understand the relevant act. At one point in the transcript, the barrister actually asks the police officer what is the difference between a production order and a restraint order. It is really extraordinary to ask a witness to give evidence on what the law is. Eventually the judge had to intervene and read out the act."

MOHAMMED was convicted and sentenced to four years in prison. He immediately complained about the barrister to the Bar Council. Jane Hickman wrote to the PCC, detailing all the complaints, and offering to provide supporting evidence. There was then a long delay before the PCC wrote back. It stated that the material disclosed did not necessitate procedures which might lead to formal findings of professional misconduct. Nonetheless there was "cause for concern" and the barrister had been asked to "attend on a vice chairman of the PCC" for guidance on his future conduct.

As in Robert's case, in those parts of the complaint where there was a

disagreement between Mohammed's version of events and the barrister's, the PCC declined to adjudicate. In this case Jane Hickman was waiting with a dossier of supporting evidence — but the PCC did not ask to see it.

She took the matter to the legal services ombudsman, Michael Barnes. He discovered why the PCC had not taken up Ms Hickman's offer to provide additional evidence. It had "placed inordinate emphasis on two spelling mistakes" in Ms Hickman's letter. (It had ignored spelling mistakes in the barrister's letter). The ombudsman has told the Bar Council to go away and investigate the complaint thoroughly.

As things stand, it seems all a barrister need do to escape censure by the PCC is to deny the factual basis of charges made. The PCC will then refuse to make "a finding of fact" on the grounds that it is "neither empowered nor qualified" to do so. The only way the complainant will get the PCC to stir itself is to take the complaint to the ombudsman.

The root of the problem is that the Bar Council's complaints procedures are designed to allow the profession to discipline its members, not to provide the public with redress. They are essentially internal procedures. Even if the Bar's disciplinary tribunal, which handles the most serious complaints, disbars a barrister, it is hard for an uninvolved member of the public to discover this. Notices are posted at the time in the Inns of Courts, and the Press Association news agency is told, but reprimands to barristers are not really news, and the press releases are seldom if ever published. The Bar's own magazine, Counsel, used to publish the tribunal's adjudications, but no longer does.

Michael Barnes, the legal services ombudsman, is starting to open up the system. Until this year, complainants were not even given a copy of the barrister's response to a complaint. Barnes has persuaded the Bar to change that. His next task is to get the PCC to award financial compensation. In his most recent report, he writes: "The Bar Council's procedures offer most complainants virtually no possibility of compensation or redress... the existence of the possibility of meaningful redress is something I regard as an essential characteristic of an effective complaints procedure." An even more effective procedure would be one where the disciplinary body made an effort to discover who was telling the truth.

Jolyon Jenkins is a reporter for Radio 4's File On 4 programme

Delegation warns Howard proposed changes could alienate officers

Police chiefs confident of compromise over Sheehy

Alan Trevis
Home Affairs Editor

CHIEF constables last night emerged from a meeting with Michael Howard, the Home Secretary, confident that compromise was possible over Sir Patrick Sheehy's report proposing performance-related pay and fixed-term contracts for the police.

John Burrow, president of the Association of Chief Police Officers, who led the delegation of chief constables, said after the hour-long meeting: "I think we can work through with

Home Office officials and come to an acceptable position on the Sheehy report."

He made clear the united opposition of all sections of the police service to Sheehy's principal recommendations, and warned Mr Howard that he ran the risk of alienating police officers if he pressed ahead with the proposals.

But he hinted that senior police officers and the Home Secretary are prepared to consider a form of performance-related pay which recognises the different jobs that officers of the same rank undertake. At present all officers of the same rank are paid the same.

Mr Burrow, Chief Constable of Essex, said there were ways of linking pay to performance which did not include the "somewhat rigid and mechanistic approach" proposed by Sir Patrick. Sir Patrick described performance-related pay as the cornerstone of his proposals in a Guardian article on Monday.

The chief constables, who could personally benefit from potential bonuses of up to 30 per cent from the Sheehy package, made clear to Mr Howard their strong opposition to fixed-term contracts and raising the qualifying pension age for operational officers.

Mr Howard said after the

meeting, called after the 23,000-strong police protest rally at Wembley Arena last week, that he had now met all the main police staff associations and listened with "great interest" to what they had to say.

"It is clear that changes will have to be made, and some tough decisions will have to be taken when the consultation period is over."

At the weekend Paul Condon, the Metropolitan Police Commissioner, warned Mr Howard that the "draconian" Sheehy recommendations could undermine the historic office of constable and could make his own position untenable.

Shortcomings of Sheehy

As the wife of a serving police constable I would like to reply to Sir Patrick Sheehy (July 26).

The problem of "performance-related pay" is but one of the report's shortcomings. There are a host of others: abolition of overtime payments, six days' notice of cancelled leave, the pension arrangements, which Sheehy lightly dismissed, and a gain in "flexibility" which he asserts will only be achieved by his proposals.

Overtime: Due to a series of unforeseeable events my husband has been forced to work 270 hours of overtime in the past five months. Overtime payments hardly compensate for the loss of family time. But it is something. Under the Sheehy proposals the constable will not know if he will be compensated for extra work as payments will be "at the discretion of the chief officer", provided there is any money in his "affordability-oriented" budget.

Cancelled leave: At present eight days' notice of cancelled leave incurs no compensation. Sheehy would like it reduced to six days. In order for my husband to be sure of attending his own son's baptism he took annual leave, which is more difficult to cancel.

Pensions: A police pension is paid for-out of the officer's pocket. It is not a perk like many civilian jobs. Bringing pensions "more into line with those in other sectors", means 40 years service for a pension at 60 as opposed to the current 30 years for one regardless of age. A 49-year-old policeman at a riot is still a reasonable proposition. Is a 69-year-old? But he will have been dismissed long before, in accordance with the proposal which allows realignment of the age profile of the force as a ground for dismissal.

Flexibility: Sheehy fails to see the flexibility offered by uniform pay; any constable can be required to perform any duty at any time. In one year my husband worked in five different departments. Most importantly, a policeman is always a policeman even when not formally on duty. How can this level of flexibility be achieved with fixed-term appointments and detailed job descriptions.

The Sheehy report is a crude cost-cutting exercise. If this country cannot afford the police service it has, something should change, but not at the expense of the individual, hard-pressed constable.

Regina Purman,
London, SE26.

SIR PATRICK SHEEHY claims police officers are being misled over the Sheehy Inquiry into the police. In recent days other inquiry members have claimed that officers have not read or understood the recommendations.

The reality is that officers have all too clearly understood the thrust and impact of the proposals and officers of all ranks now feel uncertain and apprehensive about the future.

It was appropriate that some examination of roles, responsibilities and rewards of the police should occur. No organisation is immune from periodic scrutiny. It was also recognised that some reforms were inevitable building upon changes already introduced by Home Office, police authorities and the police service.

The Sheehy Inquiry should have complemented and built upon those processes. Sadly, as police officers have realised, the report falls lamentably to do that.

The recommendations will adversely affect, in remuneration terms, virtually all officers whom the inquiry team was particularly seeking to help, ie, operational police officers, particularly federated ranks. Other recommendations will create institutional insecurity in the form of short term contracts and performance related pay. Overtime will be reduced or removed notwithstanding the demands from the public which will still have to be answered.

The package for recruits is so reduced as to make a traffic warden's salary attractive. Put simply, the inquiry team have failed to understand the ethos of policing, have sought to introduce "market forces" into a vocationally orientated service and have packaged a set of proposals that will demoralise and undermine the effectiveness of that service.

An opportunity has been missed to build upon the significant management changes of the last few years. Themes of value within the report, ie, flexibility etc, are overshadowed by the majority of their proposals which have only succeeded in enraging and infuriating officers.

Sadly the report is collapsing under the weight of its own inadequacy, but reform will continue in the police service, in spite of Sheehy, and not because of it and that is the scale of the missed opportunity.

J. Sharples,
Chief Constable,
Merseyside Police.

Taylor rallies to right of jury trial

Clare Dyer
Legal Correspondent

A PROPOSAL to abolish defendants' automatic right to trial by jury in many cases is expected to be dumped by the Government after opposition by Lord Taylor, the Lord Chief Justice.

Home Office sources said the judges' opposition would be likely to be the final nail in the coffin for the recommendation by the Royal Commission on Criminal Justice. The proposal has already drawn more controversy than any other of the 352 recommendations.

The likely alliance of the judiciary, constitutionalists, conservative lawyers and civil liberties groups would probably be seen as too powerful for ministers to take on, a source said.

In his first substantive reaction to the royal commission's report three weeks ago, Lord Taylor told a conference at the London School of Economics: "We must have regard to our history, our culture and the perception of many that trial by jury is a fundamental right."

In the wide band of cases where defendants can now

elect to be tried by magistrates or jury, the royal commission recommended magistrates should have the final say on where the case was tried. The risk to a defendant's reputation would be one factor in the decision.

But Lord Taylor said the proposal could be socially divisive, and attacked the suggestion that a defendant with a criminal record had a weaker claim to jury trial. "On the contrary, he or she may well feel specially vulnerable. 'Round up the usual suspects' may not be just an old joke."

Barbara Mills QC, Director of Public Prosecutions, took issue with those who defended jury trial because it dated from Magna Carta in 1215. "We don't usually go back to the 13th century to decide how we ought to run things," she said.

Eighty-two per cent of defendants who elected jury trial eventually pleaded guilty to some or all charges, and most received sentences magistrates would have had power to impose, she said. Meanwhile, witnesses were arranged and cases listed, at great inconvenience, for a trial which never took place.

The Home Office said yesterday that some of the less contentious proposals of the royal commission were being considered for inclusion in either the criminal justice bill or police bill expected in the autumn.

GUARDIAN 28.7.93

Corrupt police to be charged?



Operation Jackpot, Scotland Yard's marathon probe into drug-related corruption by detectives at Stoke Newington police station, has finally finished its enquiries.

The long-awaited dossier — which recommends that some officers face serious criminal charges — is expected to be sent this week to Barbara Mills, the Director of Public Prosecutions.

The report comes more than two years after an anti-corruption squad from the Yard's Complaints Investigation Bureau began probing claims that bent drugs squad detectives at the north London station sold and planted drugs, 'fitted up' suspects, and lied in court.

Five ex-Stoke Newington officers, all previously named by *Time Out*, receive regular mentions in the dossier, which has been compiled by Det Supt Ian Russell and covers 25 separate complaints of corruption. Three of the officers were suspended from duty last year, another is in jail and one has been moved to desk duties at another station after doubts were raised about his integrity.

Eight people have had their convictions quashed by the Court of Appeal as a result of the scandal.

Hackney Community Defence Association, the campaign group which has exposed the scandal, said: 'We have no faith in police investigations into police crime. A judicial inquiry into policing in Hackney is needed to allay the community's fears that our local police are indistinguishable from our local criminals.'

No decision on charging certain officers is expected until the autumn, after the Police Complaints Authority has approved Russell's report.

TIME OUT

28.7 - 4.8.93

Crime rise halted, but fewer arrests worry Met chief

THE METROPOLITAN Police yesterday claimed they had "applied the brake" to the rise in crime in London over the past five years, with the number of reported offences remaining static and slight falls in murders and burglaries.

But the force's arrest rate has fallen for the second year running, according to the annual report of the Commissioner, Paul Condon. He repeated warnings that Sir Patrick Sheehy's report on police pay and conditions could further demoralise his force.

The total number of offences reported to the police in London remained "relatively static" at 944,200, with slight falls in burglary, fraud and forgery. Murders were down from 165 to 172. Nationally, recorded crime rose by 9 per cent, with particularly sharp increases in the rural shires.

But sexual offences in the capital continued to rise, from 5,400 to 6,000 in the last year. The IRA's bombing campaign in England resulted in 121 terrorist incidents recorded nationally, double last year and the highest level since 1974, the year of the Birmingham pub bombings. Fifty-two of the bomb attacks were in London and resulted in four deaths and 174 people injured. Twenty-one tonnes of home-made explosive was recovered by the police in London last year.

Although armed officers have

become more visible on the streets of London in the past year, the number of policemen authorised to carry guns in the capital fell by 500 to 2,000. Police fired shots on six occasions. The commissioner's report also discloses that there were 32 attempts to break into the grounds and buildings of the four royal palaces in London. All the suspects were arrested before they posed a threat to the royal family.

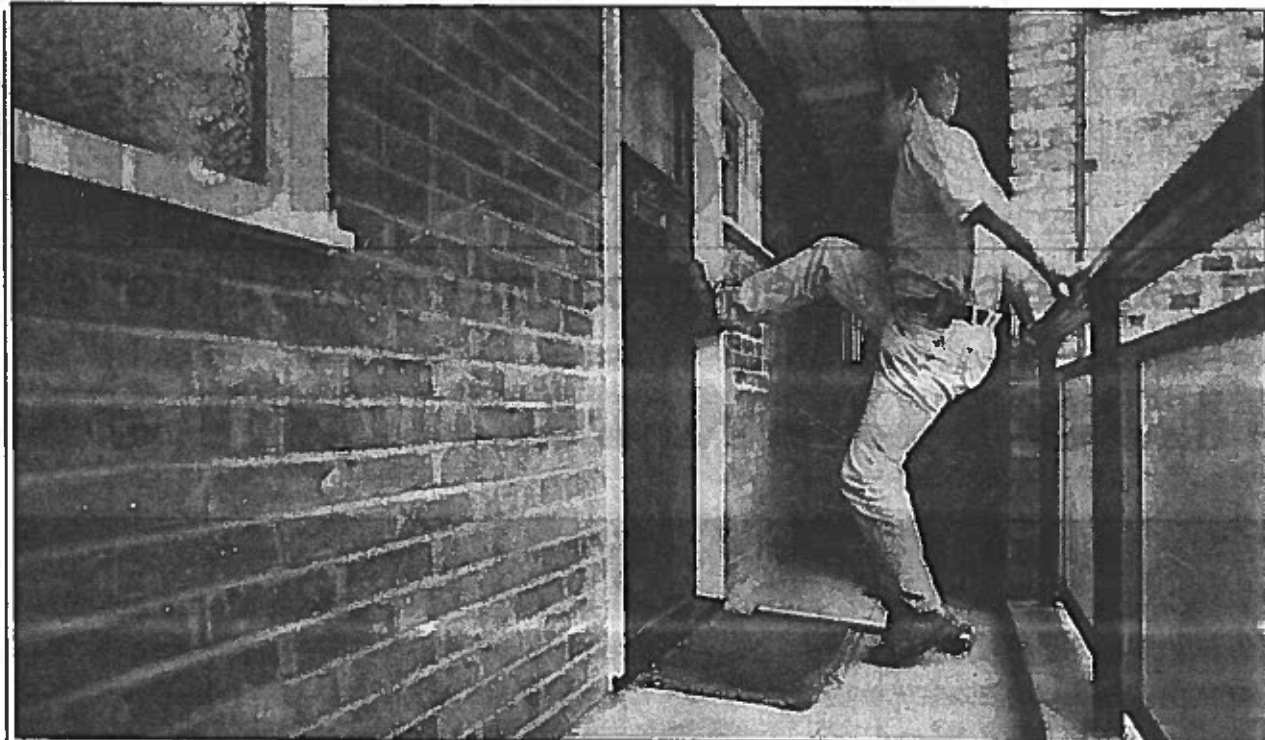
Mr Condon said he was concerned about the 15 per cent fall in arrests last year. He did not know whether that was due to more "ethical policing" — officers being more discriminating in arrests — or growing paperwork leading to increased use of informal cautions.

Mr Condon warned that the police faced a period of intense change and uncertainty.

"With or without the Sheehy inquiry, organisational change would be necessary to take us into the next decade."

While Mr Condon did not repeat his weekend warning that he would be unable to stay in office if the entire Sheehy report was implemented, he said: "It will be for each Chief Constable to examine his own conscience before he signs on to renew his fixed term contract."

"It is a difficult and unsettling time for many in the service. We will all be affected by change and some hard decisions must be made. I will not shirk that responsibility."



Foot in the door... A detective from Kingston burglary squad executes some fancy footwork in yesterday's Operation Bumblebee. PHOTOGRAPH: GRAHAM TURNER

447 raids aim to give the burglars a nasty buzz

Anne Benson reports on the rewards and the costs of the Met's Operation Bumblebee

POLICE raided 447 addresses in London yesterday as part of Operation Bumblebee, which is aimed at reducing the number of burglaries.

About 1,500 officers took part in the early morning raids, in which 310 people were arrested. Of these, 56 have now been charged, five cautioned, and 14 bailed pending further inquiries.

Among the haul from the raids were shotguns, hand-

guns and a crossbow, as well as drugs, TV sets, computers, credit cards, video recorders, cameras, jewellery, stereos and CD players, car phones and mountain bikes.

One raid alone recovered property from at least 12 alleged burglaries, while another person was found in possession of 15 handbags, 24 credit cards and six driving licences.

Last year a burglary was committed in London every

three minutes, and the number of reported burglaries between April 1992 and March 1993 was 191,600. However, the annual Metropolitan Police report released yesterday claimed that reported burglaries in London have dropped by 1 per cent.

The report claims that the drop is due partly to the work of Operation Bumblebee.

Bumblebee was originally set up in 1991 in north London and was launched London-wide in June this year with a series of raids after 18 months of planning.

At its launch, Paul Condon,

Metropolitan Police Commissioner, said: "I want the burglar to start being frightened, rather than the law-abiding citizen." He considered burglary second only to terrorism as a priority.

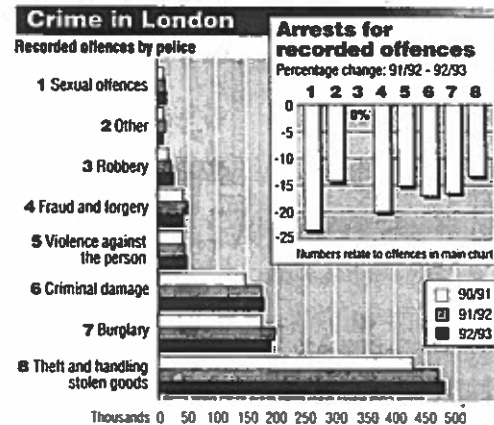
Operation Bumblebee consists of raids carried out simultaneously on homes of suspected burglars and fences, on the basis of information collected from surveillance and tip-offs.

As well as raids, the operation aimed at encouraging people to take more crime prevention measures, and not to buy what they think might be stolen goods.

But the scheme has a price: £500,000 has been diverted into it from other projects. There will be no new money forthcoming.

On BBC Radio, Mr Condon said: "We are doing our best to combat burglary, and the figures suggest we are making an impact. But by diverting more resources into combating burglary, I have to take them away from other areas."

Fears that a crackdown in London will mean that the problem will shift elsewhere may be groundless as burglars are known to operate locally.



MIXED FEELINGS OVER POLICE SHAKE-UP

POLICE chiefs and beat officers in Hackney have given mixed reactions to the proposed shake-up of the force in the early inquiry.

The far-reaching recommendations include abolishing the ranks of chief inspector and chief superintendent and imposing a performance-related pay structure. Thousands of officers oppose the findings - others see it as the only way forward. In this month's edition of *The Job* - the police's own magazine - senior and junior ranks from Hackney, Stoke Newington and City Road police stations gave their opinions.

Hackney's veteran Chief Supt Bernard Taffs - whose rank is under threat - has reservations about the Sheshy report.

He said: "My gut feeling is that this is a cost-cutting exercise and although it has got some beneficial effects you would really have to study it carefully and apply it in practice to make sure you get the beneficial effects."

Redundancies

"I am aged 51 with nearly 33 years' service and I will be looking to see how the organisation determines how it will handle redundancies."

"I am very interested to see what criteria they will use to determine who they will make redundant."

"I am concerned they will adopt an approach based on age which has been shown over the years not to be the best way of doing it."

Chief Insp Alec Ross, also of Hackney, sees the report as "very positive" and was disappointed with the reaction from the Police Federation.

He said: "I am not concerned at the recommendation that chief inspectors be made inspectors."

"Clearly, there is a role for people and someone will still be required to perform it."

"Whether that person is called chief inspector or inspector makes no difference to me."

He added: "If it is discovered that there is no role for chief inspectors, so be it. We will probably be a better, fitter organisation for the change."

Supt Doug West, at Stoke Newington, said: "Officers generally here have been trying to look for the good in the report."

Concerned

"They are concerned about performance-related pay because of the temptation to do those things that earn most pay, perhaps at the expense of things that enhance the quality of service, like the time spent with an elderly burglary victim, for example."

City Road Pc Graham Bell said: "I thought the summary was too good. It was too vague and it was full of too many ifs and buts."

"It was rubbish. Because of that, I really don't know how it will affect me."

Gloria leads fight to clear name of convicted killer



● Thanks for your support - Ransford Nedrick meets Gloria Van Cooten.

A PARTY was thrown at the Hoxton home of justice campaigner Gloria Van Cooten last weekend for a man who has spent eight years in prison for a murder he claims he did not commit.

Mrs Van Cooten, who runs Peoples Against Injustice and Disparity from her flat in Ralph Brook Court on the Haberdasher Estate, has been involved in highlighting the case of Ransford Nedrick.

He was convicted of killing a young boy in an arson attack on a house in the West Midlands in

1984. But he has always protested his innocence, claiming the confession on which he was convicted was made up by police.

He has been released on parole now that new evidence points to the convictions being unsafe and has been the subject of BBC's *Rough Justice* programme.

"This is a clear case of a miscarriage of justice," said Mrs Van Cooten.

"The evidence sent to the Home Secretary is sufficient for him to refer it to the Court of Appeal and it will be for them to decide if the verdict was safe."

Good Evans!

LONG-SERVING JOHN IS IN THE MEDALS

LONG-SERVING boyo in blue John Evans has spent the last 33 years stamping out crime on the streets of Stoke Newington. But he still has a soft spot for the land of his fathers.

"I love London, but I still go back to Wales. It's in my blood," says the Welsh-speaking Pc, who left his home town of Llandovery for the bright lights of London to pursue his dream of being a city copper.

"I've been called Taff and ad the micky taken out of me for 30 years, but it's all good in and I don't mind."

Pc Evans, 57, joined the Met when Dixon of Dock Green wasn't a distant, nostalgic memory and a hard-hitting police series like *The Bill* as just a twinkle in a scriptwriter's eye.

And his decades of dedication duty were rewarded when he was presented with a long-ser-

vice medal. "Of course, things have changed, they can't stand still for 30 years," he says.

"It's more dangerous on the streets now, but I've always tried to get out there and keep contact with people."

Pc Evans's fondest memories are of driving Panda cars and patrolling his Hackney home beat.

But his current role as a neighbourhood watch liaison officer has given him the most satisfaction. "I love meeting people," he says.

"I've met some good neighbours and made some good friends. I hope I can carry on working with the community when I retire from the police."



● Pc John Evans.

CARING coppers who police two of Hackney's most crime-ridden estates are in the vanguard of a move to revive the East End's legendary community spirit.

The partners in crime prevention are organising a series of "getting to know you" activities in a bid to bring residents out from behind their burglar-proof barricades.

"If we can improve people's quality of life and help instill a sense of community pride, we might get more co-operation and less crime," said Sgt Mark Thompson, a copper with a social conscience, whose patch includes the Haggerston Estate.

"I wouldn't want to live on the estate the way it is. I realise it's a bit of a Utopian dream to want to return to the good old days when neighbours were always there for each other, but I genuinely believe there are people who want to be part of a community again."

Sgt Thompson and his colleagues from City Road police station will be out in force in Haggerston this Sunday at a crime prevention

Caring cops plan to revive East End community spirit

by JULIE COULSON

day complete with clowns, jugglers, stalls, stands and displays by police dogs and horses.

"It will be a fun day with a serious message, hopefully getting people out of their homes and talking to each other as well as giving them some important crime prevention advice," he explained.

In a separate initiative led by home beat bobby Pc Robin Redmond, residents on the Woodberry Down Estate have formed a social committee to plan events for the summer holiday period.

Conscious of the need to keep young people occupied, they have arranged football training for boys and girls, a fishing trip to Walthamstow Reservoir, a disco, a talent

contest and a visit to Scotland Yard with Pc Redmond. The summer fun culminates in a day of outdoor entertainment on the estate on Saturday, August 28.

"It is good to see tenants and residents getting together to initiate activities," said ward councillor Michael Diamond, commending Pc Redmond on his efforts.

"Crime on the Woodberry Down Estate is down 28 per cent compared to last year and we are determined to work together to ensure that the kids have plenty to do this summer and the community pulls together."

● Sunday's Haggerston Crime Prevention Day will be run from the estate's community centre in Haggerston Road. It starts at 11am.

● Anyone who wants to get involved in Woodberry Down's summer activities should contact Pc Redmond on 071-488 7285.

HACKNEY

GAZETTE

30.7.93

Resistance by police to reform surprises Sheehy

THE POLICE were far more resistant to change in pay and conditions than had been anticipated by the Sheehy inquiry, its chairman said yesterday.

In a robust defence of its recommendations, Sir Patrick Sheehy, chairman of BAT Industries, acknowledged he was surprised at the reaction to the report, published last month.

He was disappointed at attacks based on only superficial reading and at the failure of critics to suggest alternatives to its recommendations on performance-related pay, fixed-term contracts, bonuses for chief officers and extending the retirement age from 55 to 60.

It was clear the police were less willing to change than he had believed. "They all told us they wanted change and were willing to change ... but then they say they do not like our report but are not prepared to say what it is they want instead. I am

The inquiry chairman outlines his case for changing conditions to Terry Kirby

beginning to come to the conclusion that the police service is more resistant to change than we thought."

The Police Federation, which organised last week's anti-Sheehy rally, was largely supported by an older generation, more opposed to change, he suggested. Younger, ambitious officers, particularly those in the fast stream and in chief officer rank, would be more happy with the report.

He recognised the recommendations would be modified. "I see it as an enabling rather than a prescriptive report. It would be quite wrong ... for the recommendations to be implemented to the letter." But he added: "All the major recommendations, one would hope, would be en-

acted in order to give chief constables the discretion they need." It was correct, Sir Patrick said, for 30 per cent bonuses to be given to chief constables. Their present pay was low and under his report and the Home Office's own White Paper on police structural reforms, they would be given greater responsibilities. If the starting pay of £10,600 for non-graduate probationers failed to attract new recruits, it should be increased.

He stood firmly by the proposal to put officers on fixed-term contracts of 10 years followed by successive ones of five years; contracts gave protection not enjoyed in the private sector.

"Police are just ordinary persons with special powers. If we give them jobs for life, there is a

tendency to feel special ... which can affect their attitude to the public in a negative way."

On performance-related pay, Sir Patrick believed about 10 to 15 per cent would not qualify for an annual increase; those who topped the scale would still qualify for bonuses under local discretion. Rejecting the argument that officers would not be rewarded for diligent but unspectacular service, such as patrolling rural areas, he said: "We do not want individuals in one job for long periods. They should be able to move around to increase their earnings."

Michael Howard, the Home Secretary, has said he cannot respond to the report until consultation ends in the autumn.

Sir Patrick refused to speculate whether Kenneth Clarke, the previous Home Secretary who appointed him, would have been more supportive than Mr Howard.

INDEPENDENT

31. 7. 93

'The police killed my daughter. They went in with vengeance in their hearts'

Edward Pilkington examines the questions police will be called to answer after the death of overstayer Joy Gardner

TWO years ago Joy Gardner, a Jamaican aged 40, was planning a life for herself and her British born son. She had appealed on compassionate grounds for permission to remain in the country, having overstayed on a six-month visitor's permit issued in 1987. With high hopes, she had put her name down for a journalism course at Guildhall.

But on Sunday night the single mother lost not just her battle to stay in Britain, but her life.

Scotland Yard has declined to discuss the events that led to Mrs Gardner's death at Whittington hospital, north London, four days after she fell into a coma when police officers attempted to deport her to Jamaica. A spokesman said all information would be passed to the Police Complaints Authority inquiry to be conducted under James Conlan, assistant chief constable of Essex.

Myrna Simpson, Mrs Gardner's

mother who has lived in Britain for 33 years, made plain her views yesterday: "The police killed my daughter. They said she collapsed but she was a healthy woman. They had no need to treat her with such force. They went in with vengeance in their hearts. It's one law for black and another for white."

As the day progressed, details of what happened to Mrs Gardner last Wednesday, July 28, began to fall into place. The first clue was provided by Djemal Dervish, a solicitor who had acted on Mrs Gardner's behalf.

At 9.30 am, as he was opening his post, he came across two letters from the Home Office written in response to a last ditch appeal to allow her to remain in this country. The letters were virtually identical, except for the dates which were marked 26 and 27 July.

"The Secretary of State has carefully reconsidered the case in light of your representations

but is not prepared to rescind the deportation order or allow Mrs Gardner to remain any longer. Arrangements will shortly be made for her removal to Jamaica," they said.

It was only later that day that Mr Dervish discovered that the arrangements that were "shortly" to be made had in fact been put into action two hours before he received the Home Office letters.

Estimates vary, but some time between 6.30 am and 8 am that day, two police cars turned into a newly-built housing association estate in Haringey, north London.

Five police officers, three from Scotland Yard's SO(3) unit specialising in deportations and two from local Hornsey police station, walked up to the house. With them went an immigration official with a deportation order which they planned to use to put Mrs Gardner directly on a plane bound for Kingston, Jamaica.

The next piece of the puzzle is

a taped telephone conversation between Bernie Grant, Labour MP for Tottenham, and Chief Inspector Mark Sanger of Edmonton police. "There is a problem in Hornsey we want to tell you about," Mr Grant was told. "[Mrs Gardner] became hysterical and violent and bit one of the police officers and had to be restrained. She suffered a heart attack and mouth-to-mouth resuscitation was given."

Myrna Simpson gives a different version of events. She claims her daughter agreed to let the police officers into her two-bedroom flat but they proceeded to cut off the door chain. "The police felled her to the ground and put handcuffs on her." When Joy Gardner arrived at hospital, already in a coma, she had bruises on her wrist, arm and neck, Mrs Simpson said.

Whether or not Mrs Gardner did resist arrest, debate is likely to focus on what methods police used to "restrain" her.

Under immigration law, people who overstay are guilty of a criminal offence. In such cases there is no limit on the number of immigration and police officers that can be deployed for their arrest.

Claude Moraes of the Joint Council for the Welfare of Immigrants condemned the use of large police swoops against single mothers.

"It's totally inappropriate. There should be guidelines to prevent deportations becoming part of the brutalising process black people suffer in this country."

Mr Grant said this was not an isolated incident. He referred to the case of a single mother, Dorothy Nwokedi, who has made a statement from Nigeria where she was recently deported. She claims to have been arrested on July 9 in north London by eight officers who handcuffed her in a van, sat on her and attached tape to her legs and mouth.

The other question that poli-

ticians and the victim's relatives want answered is why Mrs Gardner's solicitor was informed of her arrest two hours after the event.

Mr Dervish says he is convinced the Home Office consciously misled him, with dire consequences. "She was totally unprepared for returning to Jamaica. As far as she knew her appeal was still being considered when the police came knocking on her door."

Many of the details of what happened on July 28 will have to wait for the findings of the inquest and the inquiry by the Police Complaints Authority. But MP's and interest groups are laying for an independent investigation.

One person may be able to fill many of the gaps in the jigsaw. Graham, Joy Gardner's son, who is being shielded from the media, was the only other person in the flat when police burst in. The boy, aged five, is thought to have witnessed the entire sequence of events.



Myrna Simpson, with her daughter Claudia, says of Joy's death: 'They had no need to treat her with such force.' Below, the estate where officers called to arrest her PHOTOGRAPH BY DAVID SILLITOE



GARDNER

5.8.93

140

Police halt deportation unit amid anger at death

Edward Pilkington
and Sally Weale

THE Commissioner of Metropolitan Police yesterday called a halt to the activities of Scotland Yard's specialist deportations unit and suspended three of its officers, amid rising tensions over the death of the Jamaican woman, Joy Gardner.

Paul Condon put a stop to the use of police officers in arrests of immigrants facing deportation until a review of "practices and procedures" had been conducted. There would be no further involvement until the lessons of Mrs Gardner's death had been learnt.

The decision to suspend Scotland Yard's deportation work casts a shadow over the Government's immigration policy. Last night, the Home Office said it was considering using Group 4 or other private security companies to fill the gap.

A spokeswoman said the suspension would not prevent the Home Office expelling illegal immigrants.

The three specialist officers involved in the arrest last Wednesday of Mrs Gardner in Haringey, north London, — a female detective sergeant and two male police constables — have all been suspended. They were accompanied at the time by two local officers from Hornsey police station and an immigration official.

Mrs Gardner, aged 40, who entered Britain on a six months visitor's permit in 1987 and overstayed, went into a coma and died in hospital on Sunday.

Austin

GROUP 4 WERE SUPPOSED TO DEPORT ME TO IRELAND.



Relatives claimed she was killed as a result of the arresting officers' conduct. The incident is under investigation by James Conlan, assistant chief constable of Essex, on behalf of the Police Complaints Authority.

Further evidence on the causes of Mrs Gardner's death emerged at St Pancras coroner's court, which completed the initial post-mortem yesterday. According to the family's solicitors, it revealed "hypoxic brain damage".

The suspended officers belonged to a specialist unit of Scotland Yard known internally as the "extradition unit", or SOI(3). Its 20 officers are deployed, at the request of the Home Office, to assist immigration officials in enforcing deportation orders in cases where "resistance or violence was expected", Mr Condon said.

Last year 851 people were deported, 262 of them for breaking conditions of their stay. In the past three months SOI(3) officers have acted as escorts in 25 cases. He confirmed that the unit, set up in the early 1980s, was authorised to use restraining techniques banned in other areas of police work. These included handcuffs linked to a belt.

It has been claimed that the technique was used on Mrs Gardner, even though she was in her home at the time. Bernie Grant, Labour MP for Tottenham, claimed a belt and handcuffs had been applied to her. "I am totally opposed to the use of that equipment," he said.

Yesterday, however, Scotland Yard refused to comment.

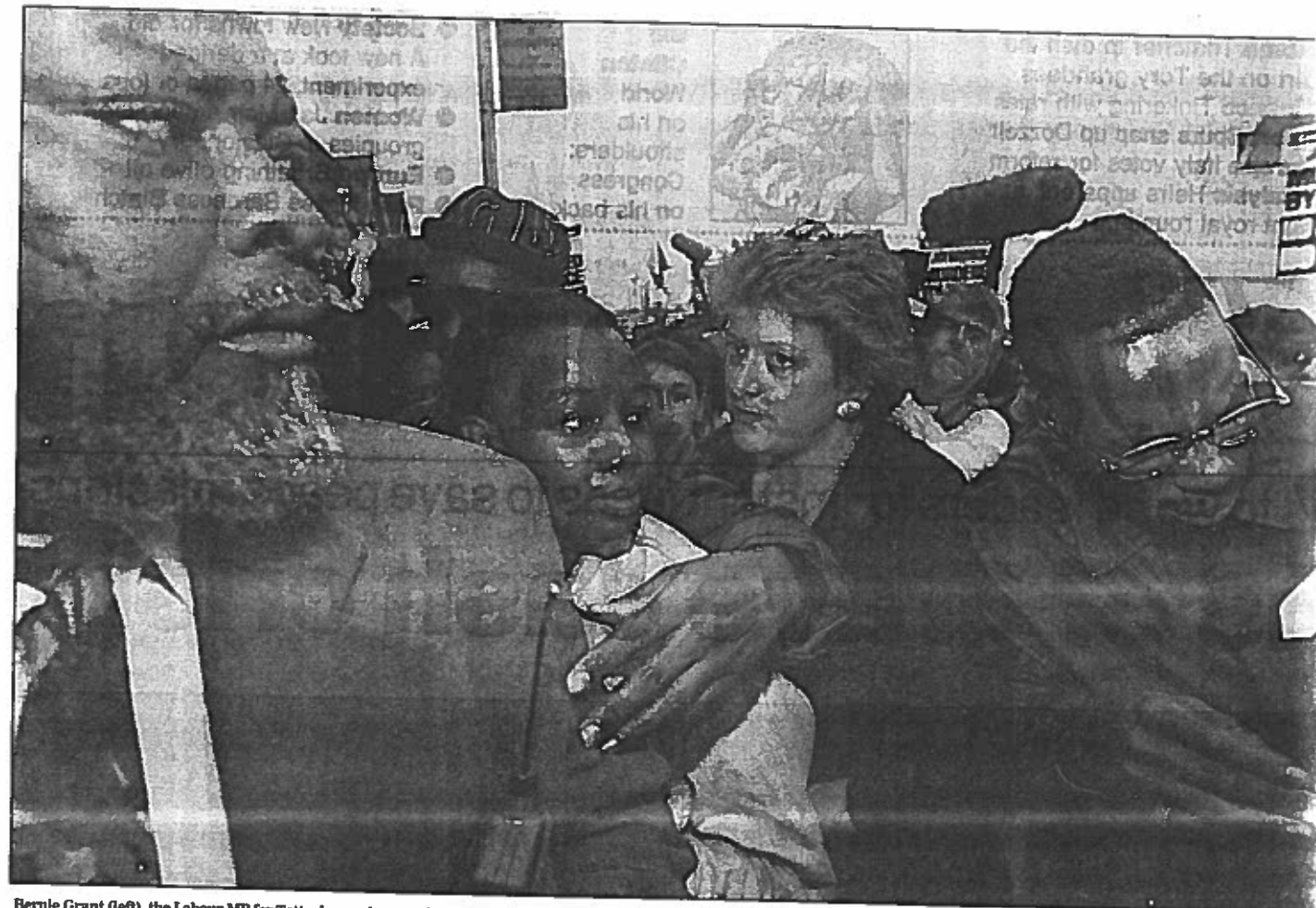
The suspension of SOI(3)'s deportation activities and removal from duty of some of its officers comes amid mounting fears that Mrs Gardner's death could unleash rioting in inner-city estates. Both Mr Condon and Mr Grant made appeals for calm as they emerged from an hour-long meeting at Scotland Yard.

Later at a demonstration outside Hornsey police station, Mr Grant addressed a crowd of about 250 chanting protesters, and appealed for calm in the community.

"It's very important that we realise we are winning this struggle," he said.

Shouting to be heard, he went on: "We are not going to rest until we get justice for Joy and justice for her family."

Race pledge tested, page 2;
Leader comment, page 19



Bernie Grant (left), the Labour MP for Tottenham, who appealed for calm at a demonstration yesterday outside Hornsey police station over the death of Joy Gardner

PHOTOGRAPH: STEVEN SEWELL

'Deportation squad' inquiry tests race pledge

Alan Travis on the suspension of a police unit dealing with deportees who might not go quietly

THE specialist Metropolitan Police unit which was suspended yesterday pending a full inquiry into the death of Joy Gardner after being served with a deportation order is made up of 20 officers under a detective chief inspector. Since it was established in the early 1980s it has been known within the force as the extradition squad.

The inquiry into the activities of the SOI(3) squad will now provide an acid test of the

pledge this year by the Metropolitan Police Commissioner, Paul Condon, to make racism the "greatest challenge facing the force".

It also provides a reminder that the Brixton and Tottenham riots in 1985 were triggered by aggressive police raids on black family homes in which one woman, Cherry Groce, was shot and paralysed and another, Cynthia Jarrett, collapsed and subsequently died.

Based at Scotland Yard, the squad has a national remit cov-

ering illegal immigration, passport frauds and extradition. It is used by the Home Office to pick up people who might offer "resistance or violence".

About 2,500 people were deported last year under immigration legislation and only a fraction went voluntarily. Although it is not known how often the "extradition squad" was used last year, it has been involved in about 20 "escorts" since May.

Immigration rights groups were already worried about the apparent lack of guidelines on the number of police and immigration officers used to arrest or detain people under immi-

The British Council of Churches has also voiced concern this week about worrying reports of other recent deportations, and has called for a halt to all enforced deportations until a full inquiry has been carried out into the methods employed by the Home Office's Immigration Department.

Father Olu Abiola, president of the council of churches, pointed to the case of a Nigerian woman, Dorothy Nwokedi, and her four-year-old daughter, who were taken by eight police and immigration officers from their home in Finsbury Park, north London, at 6am on July 9.

After she had returned to Nigeria, she alleged that she

was forcibly restrained when she started crying at Gatwick.

"One of the men sat on my back, another one sat on my knee while they tied my legs, knee and ankle, with a broad Sellotape. They sealed my mouth with a Sellotape. In the struggle my thumbs were broken, and I was bruised all over. I was put in the plane before the other passengers boarded the plane and put in a kind of cubicle."

She also said that the tape and handcuffs were removed about two hours after take-off, and one officer gave her a £20 note because she had no cash.

The council of churches also pointed to a report of a man

being placed on a flight to West Africa with his arms strapped to his sides. Mr Condon confirmed that SOI(3) was the police unit with the power to use this "handcuff belt".

The commissioner's swiftness of action is likely to strengthen the case for his seriousness in building an anti-racist image for the Metropolitan Police.

However, tension has already been heightened by last week's decision to drop charges against two teenagers accused of the murder of the black south London teenager Stephen Lawrence. It now appears that Mr Condon is emphatic that he does not wish to see history repeat itself.

GURDIN 4.8.95

Deportation officers 'taped woman's mouth and sat on her'

Edward Pilkington
and Alan Travis

THE mother of the Jamaican woman who died while being restrained during the serving of a deportation order claimed last night that her daughter's mouth had been taped and she had been sat on.

Myrna Simpson claimed at a packed public meeting that her daughter, Joy Gardner, aged 40, was already dead when officers took her from her flat in Hornsey, north London, last Wednesday.

Mrs Simpson challenged the official statement which said her daughter died of kidney failure in hospital last Sunday. "She was dead on arrival at the hospital. She was not breathing. The ambulancemen could not revive her," she said.

"They taped her mouth. They taped her legs and they taped her feet. They sat on her stomach and damaged her kidneys, her liver and her brain," she claimed.

The Metropolitan Police yesterday came in for further criticism from Mrs Gardner's estranged husband, who accused the arresting officers of being "brutal murderers".

Joseph Gardner, aged 60, who married Joy in September 1990, said he was sickened by news of her death.

Mr Gardner, of Walthamstow, east London, said he had not seen his wife since November 1990, and assumed she had returned to Jamaica until he heard press reports of her critical condition in hospital after police and immigration officers tried to arrest her.

Mrs Gardner entered the country on a six months' visitors permit in 1987 and was not heard of until five days after the marriage, when her husband applied for leave for her to remain here. She was arrested the following month but released pending a judicial review of the case. The review was turned down in April 1991.

Mrs Gardner's body is shortly to be handed over to her family, who intend to arrange a private post-mortem.

It became clear yesterday that a full inquest into her death is unlikely before next year. The delay is likely to fuel demands for an independent inquiry. The immigration minister, Charles Wardle, yesterday rejected requests for such a review.

GUARDIAN

5. 8. 93

Post mortem inquiry sought into claims that adhesive gag was used

Row grows on deportation arrest death

By Neil Darbyshire, Crime Correspondent

TWO independent post mortem examinations on Mrs Joy Gardner were called for yesterday to establish whether she died from suffocation after having tape stuck over her mouth during an attempt to deport her to Jamaica. Fresh allegations of brutality in the treatment of Mrs Gardner, 40, have aggravated an already tense situation within the black community in the north London area where she lived.

Police are particularly concerned that a planned march on Hornsey police station by Mrs Gardner's supporters tomorrow could be exploited by violent elements.

Relatives say the original assertion that she died from renal failure after collapsing at her home is false and that the cause of death was asphyxiation and consequent oxygen starvation to the brain brought on by the alleged gagging.

They have commissioned a second pathological examination of the body, which they hope will back up their claim.

The three detectives from Scotland Yard's aliens and deportation unit who were suspended from duty after the incident have called for their own independent post mortem examination, to be held on Monday. Their representatives said yesterday that they had conducted the attempted deportation according to recommended guidelines and were anxious not to be made scapegoats.

Mrs Gardner collapsed at her flat in Hornsey, north London, after struggling with five police officers who forced their way in to enforce a deportation warrant at 7.40am on Wednesday of last week. She was given mouth-to-mouth resuscitation and put on a life support machine in hospital, but died four days later without regaining consciousness.

The Police Complaints Authority is now investigating the circumstances of her death. It will also examine normal police procedures for restraining deportees who refuse to co-operate. Mrs Gardner became violent, threatening one officer with a broken bottle, biting another and throwing crockery.

Scotland Yard has not denied that its officers used the 4in-wide tape, part of the restraining equipment available to officers of the aliens unit. The tape is also used as a defence against being bit-



Joy Gardner: bit officer and threw crockery

ten by a suspect with hepatitis, the HIV virus or Aids.

But there are many less forceful subjugation techniques and the use of tape in this and other cases will be a vital issue in the Police Complaints Authority inquiry being carried out by Mr James Conlan, assistant chief constable of Essex, under the supervision of Mr William McCall, former head of the Institution of Professional Civil Servants.

Supporters of the Gardner family, led by Mr Bernie Grant, Labour MP for Tottenham, have demanded a public inquiry, so far resisted by the Home Office.

The Police Complaints Authority is keen that there should be no delay and is confident that investigations will be completed well inside the 120-day maximum target recommended by the Association of Chief Police Officers. Although there are only five witnesses to the struggle — two policewomen and three policemen — the widening of the inquiry to examine procedures means many more interviewees.

They will include the immigration officer who was present when the police forced entry to the flat, but who left before the struggle began, to look after Mrs Gardner's five-year-old son.

Details emerged yesterday

of another case in which officers from the same deportation squad allegedly threatened to use tape to stop a woman shouting.

Mrs Dorothy Nwokedi, a Nigerian who was sent back to Lagos with her four-year-old daughter last month, said she was handcuffed, bound and threatened with a gag.

Both her thumbs were broken when she was seized in Finsbury Park, north London, at dawn and taken to Gatwick by about eight immigration officials.

"When I started crying they forcibly put me down," she said. "One of the men sat on my back, another one sat on my legs, while they tied my legs — knees to ankle — with a broad Sellotape."

"In the struggle my thumbs were broken and I was bruised all over."

● Peter Pallot, Health Services Staff, writes: A victim of asphyxiation could die of kidney failure, although this was unlikely, a consultant in London said last night.

In a healthy person, asphyxiation would first lead to severe brain damage and heart failure as these two organs were most dependent on a supply of oxygenated blood. After that other key organs — the kidneys and liver — would cease.

If the asphyxia victim had an existing kidney complaint, renal failure could be induced before the other organs failed completely, although this might not be noticeable immediately because the body could exist without clear renal function for a day or so.

The mystery was why renal failure was given as the cause of Mrs Gardner's death when renal function would be checked as routine on admission to intensive care. The consultant said: "I do not believe she died of renal failure. It might have been renal failure brought on by an event such as heart failure. When you die, everything packs up."

Key figures — P2

DAILY TELEGRAPH

6.8.93

AWARD-WINNING COP ON THE RIGHT TRACK



● Friendly neighbourhood cop, Pc Robin Redmond, with two members of his fan club, Doreen Spicer and Fred Wood, who are residents of the New River Lodge old folk's home in Newton Close, Woodberry Down.

TUBE driver-turned-cop, Pc Robin Redmond, is on track to receive a top award for community policing.

The caring copper, who swapped Underground stations for police stations, came second in the *Evening Standard* competition to find the best community policeman in London.

Metropolitan Police Commissioner, Paul Condon, will present him with his honour at a special ceremony.

Hundreds of officers were nominated by the public, but it was the Stoke Newington-based bobby's own superior officers who put him forward.

The 33-year-old father-of-six is a firm favourite with the folk on the beat he patrols in Woodberry Down.

Pc Redmond joined the police four years ago after driving Tube trains for 10 years and has been a home-beat bobby for the past two years.

He has thrown himself into community work, getting involved with the Woodberry Down Over 60s Project as well as organising activities for the two youth clubs at Parkside and Woodberry Down Primary Schools.

He also helps co-ordinate the neighbourhood

by **RUSS
LAWRENCE**

watch scheme for the Woodberry Down Estate - one of the biggest in the country - as well as being a trustee of the Hackney Youth Orchestra.

And he regularly pops in to the classrooms to meet the kids at St Thomas Abney and Woodberry Down primary schools.

"I've wanted to be a policeman since I was three," said Pc Redmond.

Stoke Newington's top cop, Chief Supt Niall Mulvihill, said the award was richly deserved.

"He has helped make his part of London a safer place where community spirit is now thriving again," he added.

I SAY, I SAY

A regular feature in which guest writers have their say



This week's contributor is Betty Blomfield, chair of the Hackney Lay Visitors Panel

THE Hackney Lay Visitors Panel was established in 1988.

The panel comprises 24 members of the public who volunteered to be a lay visitor and were subsequently appointed by the Home Office and given the responsibility to visit people being held in custody at our local police stations to ensure that these detainees are properly treated while they are being detained.

As we interview the detainees, they are given every opportunity, if they so wish, to complain about their treatment either when they were arrested or during the

detention.

If such a complaint is made, it can be made out of earshot of the police. Despite the opportunity - and contrary to what some people may believe - the number of complaints reported to the lay visitors by detainees is very low indeed.

In fact, the vast majority of people in custody tell us they are being treated well and have no complaints.

I can give an absolute assurance that members of the Hackney Lay Visitors Panel are very dedicated and take their job seriously. Therefore, we have never ignored - and

never would - any complaint made to us by a detainee.

We would obviously ask for an investigation immediately. It is also important to point out the following facts:-

- The three local police stations are visited regularly without prior notice being given to the police that a visit is to be made.

- Lay visitors are a completely impartial body of people who neither work for nor with the police.

- We are generally well received by the police when we make our visits and there is no indication at all that our presence is resented.

Inquiry ordered after Asian dies in random check by police on taxi drivers

THE Police Complaints Authority has been called for the second time in five days to investigate the death of a black person after an Asian taxi driver collapsed and died yesterday as officers were inspecting his cab, *writes Edward Pilkington.*

With tension running high over the death of the Jamaican deportee, Joy Gardner, police asked the authority to investigate within an hour of the death of Mohammed Nazir in Slough, Berkshire. He was dead on arrival at Wexham Park hospital.

Mr Nazir, aged 57, collapsed in a council depot in Slough after he was stopped along with four other taxi drivers in a random check by the police, social security and Department of Trade officials.

A Home Office pathologist, Dr Iain West, carried out a post-mortem examination, sources close to the investigation said. He identified the cause of death as heart disease and also found evidence of previous heart attacks.

Tony Williams, of the complaints authority, who is to supervise an investigation by Hampshire police into Mr Nazir's death, said there had been no struggle and Mr Nazir had not been in custody. "This man was not under arrest — he was under police supervision."

However, a fellow taxi driver, Manjit Aujla, who was present at the inspection, accused the police of ignoring pleas from Mr Nazir that he had chest pains and needed to go home for his tablets.

He called the police "inhuman, badly behaved and unsympathetic".

He added: "They said he would have to wait his turn. They did not believe him, they thought he was pretending. One of the policemen said that if he had that sort of pain, he should not be driving."

The police are alleged to have told Mr Aujla that he could take Mr Nazir to the hospital. "I said it was up to them. I don't know what happened then, but I know they checked his car before he was taken for any sort of treatment."

GUARDIAN

7-8-93

Joy Gardner 'was dead on arrival'

Lawrence Donegan
and Edward Pilkington

CAMPAIGNERS supporting the family of Joy Gardner, the Jamaican woman who died after being arrested last week, claimed last night she was dead on arrival at Whittington hospital, north London, even though she was kept on a life support machine for four days.

A report from the London Ambulance Service suggests it may have taken paramedics up to 36 minutes after she collapsed during her attempted arrest to revive her heart beat.

Sharon Lawrence, of the Joy Gardner campaign, said: "You cannot be lifeless for so long and live. She was effectively dead when she arrived at hospital."

According to the Ambulance Service, the arresting officers called for help at 8.04am on July 28. Paramedics from Tottenham station reached Mrs Gardner's home in Hornsey by 8.15am. "There was no heart beat and no sign of any activity from the heart," a spokesman said. It took them until 8.40am to revive her pulse.

The paramedics' report supports evidence from a heart specialist. Dr Royden Davies has told a Police Complaints Authority investigation she may have collapsed because "she was in some way deprived of oxygen".

Mrs Gardner, aged 40, went into a coma after police officers restrained her using a leather belt and handcuffs and mouth gag while attempting to enforce a deportation order. She died four days later.

In a statement to the PCA inquiry, Dr Davies identified three possible reasons for her lapsing into a coma: the gag covered both her nose and

mouth, depriving her of oxygen; she swallowed her tongue after the gag was put on; or the officers restrained her with such force she was unable to breathe.

An initial post mortem carried out by Home Office pathologists concluded she died of kidney failure. She had suffered hypoxic brain damage — lack of oxygen to the brain — can occur after heart attacks, but this her relatives ruled out.

Dr Davies said in his statement: "The only other plausible explanation for the cardio-respiratory arrest was that Mrs Gardner was in some way deprived of air containing oxygen during a time when she was struggling."

"... With a rapid heart rate and with muscular activity from struggling, if Mrs Gardner were deprived of oxygen, her own blood would ... give up its oxygen very rapidly."

Mrs Gardner's family believe a post mortem carried out yesterday will support their claim she suffocated because of being restrained. The result will be made public today.

The findings of separate post mortem conducted on behalf of three officers involved will not be made public.

The officers, a woman sergeant and two male constables, have been suspended from duty, and Metropolitan police involvement in enforced deportations put on hold.

Mrs Gardner entered Britain on a six-month visitors permit in 1987. She was arrested in 1990, one month after marrying, but was released pending judicial review. This was turned down in April 1991.

● Dr Stephen Shaw, director of the Prison Reform Trust, called yesterday for the use of bodybelts to restrain prisoners to be reviewed.

Leader comment, page 17

GUARDIAN 10.8.93

Police chiefs' attacks on Sheehy grow

MORE chief constables yesterday joined colleagues in attacking the Sheehy report on policing. The chief constables of Derbyshire, Avon and Somerset, and Dyfed-Powys said they would have to consider their position if Sir Patrick Sheehy's report was implemented in full.

Their comments follow the stand taken by Sir Hugh Annesley, Chief Constable of the Royal Ulster Constabulary, and Paul Condon, the Metropolitan Police Commissioner, who have said they would not willingly preside over a force run under the Sheehy model.

The chief officers' key concerns are the proposals for fixed-term appointments, starting salaries, performance-related pay for junior ranks, sick leave for officers injured on duty, and increasing retirement age to 60 and pension qualifications to 40 years' service.

John Newing, chief constable of Derbyshire, said yesterday: "I would find it hard to be a chief officer in a police organisation which imposed those kinds of conditions."

David Shattock, chief constable of Avon and Somerset, said: "If Sheehy were implemented in full ... it would take away the whole ethic of British policing. We would get the wrong people at the starting pay that is proposed and I wouldn't want to lead that sort of organisation."

Ray White, chief constable of Dyfed-Powys, said: "I would have to consider my position if Sheehy was implemented in its present form."

He also feared that proposals for short-term contracts, cash-limited budgets, and Home Secretary appointees for police authorities would put "far too much control" in the hands of central government.

David Owen, chief constable

of North Wales, joined the chorus of criticism, saying: "I share the concern of my colleagues that Sheehy would lead to substantial demoralisation of the service."

The chief constables of Northumbria, Greater Manchester and Durham have also voiced serious reservations about the report's proposals, while John Over, chief constable of Gwent, said yesterday: "I don't want to become a Victorian mill-owner."

He argued that performance-related pay for junior ranks would be an "administrative nightmare" and, if it was based on how much work an officer produced, "there lies corruption and injustice".

Mr Over, who is retiring in December after 42 years, said: "I believe that within 10 years the police will be a law-enforcement agency and not a service, and I wouldn't want to be part of that."

Earlier this week, a leaked internal memorandum revealed that Sir Hugh Annesley had told his force: "I will not willingly preside over a force whose morale would be so adversely affected if these recommendations were introduced in their proposed form."

His blunt response echoed that of Mr Condon, who said last month that his position could become untenable if the entire report was enacted.

Brian Johnson, the chief constable of Lancashire, has been holding consultations with other members of the Association of Chief Police Officers to ensure a "proper response" is prepared to the report's recommendations.

Michael Howard, the Home Secretary, who has said the report's recommendations are not set in stone, is not expected to set out his proposals until consultations are over next month.

GUARDIAN 13.8.93

BRAVE PCs ARE HONoured

TWO brave police officers who tackled a dangerous knifeman have been honoured for their courage.

Rookie Pc Ian Slaney was stabbed in the hand and back as he tried to search David Moss in St John's churchyard, Hackney, two years ago.

But Moss, a paranoid schizophrenic, pulled out a deadly curved Kukri knife - used by the Gurkha regiment - and attacked the teenage constable mercilessly while shouting: "Right, that's it. I'm going to kill you."

Pc Slaney, who was on his first lone patrol, tried to protect himself and struggled to disarm his extremely powerful attacker, but his greater body weight pulled them both to the ground.

Moss broke free, got to his feet and as Pc Slaney tried to get up, he was again stabbed repeatedly. The constable ran to the nearby police station, radioing for assistance as he did so before collapsing.

Colleague Pc Eileen Fischer took the distress call and knew they were looking for a crazed knifeman.

As they reached a road junction, the man ran across in front of the vehicle still holding the knife.

Fully aware of what had just happened, Pc Fischer went up to Moss and took the knife out of his hand without a struggle and arrested him.

As a result of his injuries, Pc Slaney

was off duty for two-and-a-half months.

Now aged 21, he has been awarded the Commissioner's Commendation for courage and tenacity. Pc Fischer, 42, received the same commendation for bravery.

Pc Slaney was also praised by the trial judge in September, 1992, when Moss was sentenced to an indefinite term at Rampton mental hospital.

At the time, Pc Slaney said: "You could say I stopped the right person, but the wrong person that day."

"He was armed with a knife and out to do something that day and I may well have prevented him harming a civilian."



● Pc Ian Slaney - on his first lone patrol



● Pc Eileen Fischer - arrested knifeman

Top-ranking Yardie killer jailed for double shooting

A TOP-RANKING Yardie was jailed for life at the Old Bailey on Wednesday for the merciless shooting of two unarmed men in front of 200 party-goers.

Scar-faced killer Leroy Lesley, 26, was found guilty of murdering 25-year-old Andre Blackman and seriously wounding Jeff Dixon, also 25, at a farewell party for a friend returning to Jamaica.

The party was at Roots Pool community centre in Millers Terrace, Dalston, last November.

Unknown to the jury, Lesley had convictions for dealing in cocaine and heroin, unlawful wounding and having a loaded gun in a public place.

Outside the court, senior detectives re-

vealed that Lesley was a member of the Raima Rats Possee - a Yardie gang originating in Kingston, Jamaica - and was in Britain as an illegal immigrant.

The jury acquitted his heavily-pregnant co-defendant, Linneth Lewis, of the same charges.

The married mother-of-five, from Row-hill Road, Lower Clapton, was accused of murder and wounding with intent on the basis of joint enterprise for allegedly handing him the gun from her handbag.

The jury was told that Lesley, of Homsey Road, Homsey, had clashed with Blackman at the bar. He left, collected the 13-shot automatic pistol and gunned both Blackman and Dixon down.

Lewis said she had nothing to do with the killing and did not have a handbag with her that night in which a gun could have been concealed.

HACKNEY GAZETTE

13.8.93

Police told Sheehy plans would destroy the force

Duncan Campbell
Crime Correspondent

THE police force would be destroyed if the recommendations of the Sheehy Report were put into effect, a rally of police officers was told by the chairman elect of the Police Federation last night.

Speaking in Harrogate, Dick Coyles said it was a "dangerous, reckless adventure" which would drive dedicated officers from the force and replace them with "short-term, short-expectation" people.

The attack is the latest broadside against the report and further evidence that the police are determined to win the propaganda war against its proposals in advance of further talks with the Home Secretary.

Mr Coyles did not mince his words as he attacked many of the report's central recommendations. "There was a famous slogan coined by Winston Churchill, which Sheehy's claim reminds me of: 'Give us the tools and we will finish the

job', he said. "Sheehy says: 'Give us the tools and we'll bugger the job'."

The Chancellor of the Exchequer, Kenneth Clarke, who as Home Secretary initiated the inquiry, was singled out for the most damaging attacks.

Mr Coyles suggested there had been a hidden agenda in setting up the inquiry. It was produced by a team that had "no knowledge of and no real interest in the police service".

He warned the Prime Minister of the political damage that would be done if the recommendations were adopted, saying that Mr Clarke had dug the Government into a "dreadful hole" and advising him to put the report at the bottom of the hole and give every cabinet member a shovel to help fill it in.

"Michael Howard [the current Home Secretary] must understand that the dangerous, reckless adventure on which Mr Clarke embarked, like Toad of Toad Hall, has resulted in a shambolic misconception of what the police is all about," said Mr Coyles, who takes over

from Alan Eastwood as federation chairman next month.

The proposals would change the type of person recruited to the force, he said. "They will not be committed to a vocation. They will be short-term, short-expectation men and women, while the type of person who has contributed so much to the British police service in the past will look elsewhere for job satisfaction."

The attack comes days after a group of chief constables lined up to criticise the report by Sir Patrick Sheehy, and what may concern Mr Howard is the way the force has presented a united front against its proposals. However, the campaign shows little sign of abating and another federation rally is planned next week in Newport as part of a series of regional rallies.

The Sheehy proposals which have attracted the fiercest criticisms concern the introduction of fixed-term contracts, the reduction of the starting salary, the raising of the retirement age to 60 and the notion of performance-related pay.

GUARDIAN

17.8.93

BEAT BOBBY'S AWARD FOR BRAVERY

Drugs case dropped against mum cleared of murder

A MOTHER of five, cleared at the Old Bailey 24 hours earlier of being an accomplice to a Yardie murderer, walked free from another court last Thursday after five-year-old drugs charges against her were dropped.

Linneth Lewis, from Rowhill Road, Lower Clapton, pleaded not guilty at Snaresbrook Crown Court to two charges of possession of cannabis and cocaine with intent to supply on November 26, 1987.

A warrant for her arrest was issued in September, 1988, after she failed to appear for her trial. Nearly five years later the Crown Prosecution Service decided to offer no evidence against her because of the staleness of the case.

Lewis, who appeared at Snaresbrook in the name of Angela Brown, had spent the last seven months in custody awaiting her murder trial at the Old Bailey, along with 26-year-old Leroy Lesley - described by senior police officers

as a "top-ranking Yardie." Lesley was jailed for life last week for the murder of Andre Blackman, 25, and for seriously wounding another man at the Roots Pool community centre in Millers Terrace, Dalston, on November 30 last year.

Lesley had clashed with Mr Blackman at the bar before returning with an automatic pistol and gunning him down at close range.

He also shot Jeff Dixon, 25, a friend of the dying man, in the stomach and another reveller, Janet Sinclair, was hit in the thigh. Both Mr Dixon and Ms Sinclair survived the shooting.

Lewis, who is heavily pregnant, was cleared of murder and wounding with intent on the basis of joint enterprise. It had been alleged that she handed Lesley the gun from her handbag.

She told the jury she had nothing to do with the killing and did not have a handbag with her that night in which a gun could be concealed.

BEAT bobby Paul Danks has been commended for his courage in attempting to arrest a violent man for robbery.

The officer was on plain-clothes duty patrolling the streets of Stoke Newington on Hallowe'en night in 1991 when he spotted a large, boisterous group of young men starting to jostle, punch and kick a man.

Pc Danks could see they were robbing him and he shouted to them that he was a police officer. He then arrested one youth who had taken the property.



● Pc Paul Danks.

Immediately, he was surrounded and attacked by a large group of men who were intent on rescuing their friend.

His radio was punched from his hand and eventually his prisoner broke free. Pc Danks was kicked and punched repeatedly and dragged along the ground until he lost consciousness.

As a result of his injuries, he was off duty for more than a month.

Pc Danks, now 32 and based at Hackney police station, was handed his award by Deputy Assistant Commissioner Michael Taylor.

Pc Danks, a member of the City Road Pistol Club, is one of 46 police officers serving in east London stations to be honoured this year for their conduct.

Yardie killer's 'protege' guilty of party shooting

A YOUNG man who police say was an "associate" of Yardie murderer Leroy Lesley is facing a long prison sentence after being found guilty of a shooting at an all-night party in Dalston.

Dermott Brown, 21, of Laurel Street, Dalston, was convicted at the Old Bailey on Friday of two robberies, having a firearm with intent to endanger life, having a firearm with intent to rob and assault causing actual bodily harm.

Two days earlier Lesley, 26, was jailed for life for murdering unnamed Andre Blackman, 25, at a party in Roots Pool community centre in Millers Terrace, Dalston, on November 30 last year.

Outside the court Det Sgt Peter Myers said it was clear that Brown, who was nicknamed "Killer" on the streets, was an "associate" of Lesley. "You might call him a protege," added Det Sgt Myers.

The jury had heard that Brown pulled out a pistol and fired several bullets into a crowd of revellers at an all-night party in Ashwin Street on April 17 this year in revenge for being thrown out of the party moments earlier.

Mr Peter Clarke, prosecuting, said it was "sheer luck" no one was injured. One terrified victim, Gordon Browne, 28, heard a bullet "whistle past his chest."

Brown and his accomplices, who have not been caught, pistol-whipped another of the party-goers and stripped others of their valuables.

Brown denied the charges, claiming he was at another party that night. The jury took more than six hours to reach its majority verdicts. He was remanded in custody.

The judge, Miss Recorder Ann Curnow, QC, adjourned sentence until tomorrow (Friday) for a probation officers' report - but she said that Brown, who has no previous convictions, was facing a "substantial sentence."

HACKNEY GAZETTE

20.8.93

Faced with threats to pay and conditions, the police are behaving like an old-fashioned trade union. DUNCAN CAMPBELL reports on the force's showdown with the Government. Photograph by KIPPA MATTHEWS

The thin blue picket line

NEXT week there will be a rally in the Welsh heartlands. This week there was a mighty gathering in Yorkshire. The defiant T-shirts, emblazoned with the emblem of one of the world's best known workers' movements, Solidarnosc, have been sold by the thousand. Fiery speeches from the leaders are being produced on tape and sold to those who missed the rallies. The Government and the editor of the Daily Telegraph are excoriated as the enemy and the subject of angry scorn. The public are being entreated to join in the struggle to fight for a threat to the workers' lives.

No, this is not the miners or the firefighters or the ambulance drivers. This is not the *ajventies*. This is the British police today. As the notion of mass rallies, of workers of an entire industry standing shoulder to shoulder in solidarity, singing in full voice, is perceived to have faded into the sepia of labour history, we are witnessing one of the most powerful organisations left in Britain fighting to maintain its way of life.

But is this a remarkable transformation of a traditionally conservative body into a militant battler against the market economy or is it just a self-interested staff association desperately clinging on to a life of well-paid security denied now to most of the rest of the population?

At the rally attended by no fewer than 23,000 police officers in Wembley last month, a light-hearted placard urged: "Stop smoking — and put Sheehy out of a job". And it is Sir Patrick Sheehy, chairman of British American Tobacco, Government-appointed head of the committee of inquiry into the roles and responsibilities of the police, who is the focus of the anger, and the recommendations of his inquiry that have caused such fury.

There are 272 proposals, many of them uncontroversial and likely to be adopted. But half a dozen have caused the most rage and dismay: the reduction of the starting salary; the introduction of fixed term contracts throughout the service; the introduction of performance-related pay; the raising of the retirement age to 60 from 55; the requirement of 40 years

service before a full pension. As far as the police are concerned, these measures would make the job less attractive and therefore lower the standard of recruits, would drive out dedicated officers who see the job as a vocation, create division in the ranks over who gets rewarded and why and put elderly officers on the streets at risk. Broadly, it is seen as a cost-cutting exercise designed to introduce a market economy into a public service and an attempt to shift the blame for the rise in crime from the Government to the police.

The Sheehy team, for their part, had seen their job as recommending changes which would make the police more efficient and more responsive to what the public wanted. As they gathered evidence round the forces, junior officers would tell them quietly about inefficient and top-heavy management while senior officers would relate tales of lazy, incompetent junior ranks who had jobs for life and who could only be sacked if they mugged the Queen Mother.

When they eventually came out with their report they were amazed that all these discon-

tented officers were suddenly standing epaulette to epaulette to denounce the proposals.

Certainly, if there was much common ground between the two sides, it was fast being eaten away by the abrasiveness of the argument and the richness of the mutual insult. No-one who saw Panorama's live "discussion" on Monday with Sir Paul Fox, a member of the Sheehy team, surrounded by angry police officers and "members of the public" complaining about lack of foot patrols, will be under any illusion that differences are being resolved in a civil fashion.

The Daily Telegraph has not been impressed with the behaviour of the police: "If officers act like industrial militants rather than members of a respected and skilled profession, they cannot complain if Sheehy treats them that way," said their leader on July 21.

This has provoked an angry editorial response in the latest edition of Police, the Federation's journal, penned no doubt by Tony Judge, a former GLC Labour councillor a touch to the right of Ken Livingstone: "We did not come together in Mr Hastings's (the Telegraph's editor) sneering phrase 'to parade our uncritical self-interest', we came because we see in Sheehy that our service is in deadly peril. We see it being transformed within the space of a few months from a service, a vocation, to just another job."

HASTINGS was writing, suggested Police magazine, even before the rally, and had called those present "militants in blue", when what was notable about the rally was that everyone stood to attention for the national anthem and the beer pumps stayed switched off.

What has thrown the Sheehy team and the Home Office is the level of opposition from the senior ranks. They had anticipated that the rank and file would protest; the Federation has a long history of not being backward about coming forward when they feel their mem-

bers are threatened. But lining up against the report have been the Chief Constables, the very men (still all men, but that's another story) whom the Sheehy team must have felt would give meaning to the proposals at least their tacit backing.

Instead we have had Chief Constables threatening to quit, Chief Constables saying their job would be untenable, Chief Constables on the platforms of the very rallies which the Telegraph condemned.

Ray White, Chief Constable of Dyfed-Powys and one of the more articulate of the chiefs, is one of the critics of Sheehy, although he accepts that there are many proposals which are worthwhile: "Sadly some of the proposals are so draconian and so out of touch with reality that it is very difficult to look at the more positive measures and that will be the case until that boll is lanced."

He accepts that, for instance, overtime needs looking at, that contracts could be introduced at senior level — indeed the Metropolitan Commissioner Paul Condon has already signed one that lasts for seven years — and he agrees that "appraisal-related" pay, whereby good officers are assessed and rewarded could be considered. But he believes the reduction in the starting salary (by £2,000 to £10,630) would drive away the kind of people they want to recruit.

His colleagues are equally outspoken. This week Jim Sharples, Chief Constable of Merseyside, warned that every Chief Constable might have to consider resignation if Sheehy were implemented.

Richard Wells, Chief Constable of South Yorkshire told the Wembley crowd that "my officers, like officers all over the United Kingdom, now feel cheapened and sick with worry about the future, their future and the future of the service." (A cynical Sheehy supporter might ponder if this will mean yet further sick leave, the reduction of which is a source of controversy in the report.) The report has, if nothing else, achieved remarkable solidarity among the different levels of the police.

Dick Coyles, who takes over as chairman of the Federation from Alan Eastwood next month, says since the police are not allowed to strike they are obliged to "flex their muscles" with the rallies and the appeals to the general public. A Cumberland sergeant, and a man who calls a truncheon a truncheon, Coyles is aware of the role the police have been obliged to play in past disputes — those involving ambulance drivers, fire-fighters and prison officers, and resents it. Now he finds himself leading a body that is being reviled by all the people who have attacked organised labour over the years.

"We have no right to strike and no right to withdraw our labour," says Coyles, "so we have to appeal to the general public for support." So there will be more advertisements in the national press and a Touche Ross survey which he believes will prove that the Sheehy proposal for measuring performance is unworkable.

Chief Superintendent Brian Butcher of Norfolk constabulary was one of those trying to get a word in edgewise on the Panorama discussion. While complimenting Sir Paul Fox for having the "bottle" to appear, Butcher sees the thrust of the report as an attempt to make scapegoats of the police for the gradual collapse of the criminal justice system and the growth of crime. This is a common feeling in the police: that the Government, unable to comprehend how their other policies may have stimulated crime, is now seeking to present the police as over-asserted creatures who are partly to blame for the lawlessness and now need a shaking up.

Butcher believes that performance-related pay, whereby teams of officers are rewarded on the basis of the job they do, the place they do it, the way they do it and the experience they bring to it, would be virtually impossible.

"In Norwich, we had a disturbance in a night club and 100 officers involved. Do they all get rewarded? Or you have a small burglary squad, they do a good job. Great, you think, they

deserve to be rewarded. But how does the control room feel about that? And what about all the people who process the paperwork and tidy it up? You would need a huge bureaucracy to make it work."

But these are the details of the report. What is at the heart of the protests, whether spoken or unspoken, is a feeling that the police are underappreciated, unloved by the very people who should value their work.

NEXT month, Butcher and his colleagues in the Superintendents' Association will have a chance to discuss all this with the Home Secretary who is a guest at their conference in Torquay. Michael Howard will doubtless know what he is letting himself in for. The Federation conference in Blackpool barely restrained itself from biting Kenneth Clarke's ankles when he appeared on their platform and followed this with a rapturous reception for his Labour counterpart, Tony Blair.

Howard has obviously decided to play Detective Sergeant Nice to Clarke's Detective Constable Nasty, an old police interviewing ploy which is not quite as apocryphal as it sounds. He knows that a few weeks later he is going to have to address a Conservative party conference that will be even more rabid than ever for law and order measures. He has let it be known that he is a "listening" Home Secretary. There have been well-publicised trips to police stations to show him doing just that and he has been anxious to reassure the police that he will consult them all before anything is done.

But Howard also knows that he cannot be seen to have caved into the pressure from Wembley and all the bobbies in their Solidarnosc T-shirts, he knows that the Telegraph readers at his conference, the ones who see the police as irritating chapies who stop them for speeding in Berkshire and Sussex, who give them grief over their shotgun licences and who tell the wife that there is nothing

that can be done about the burglary, will want to know what he is going to do about it all.

So Howard finds himself in a dilemma. Previously it had been possible to portray the Federation as slightly detached from the membership, just as union activists have been traditionally seen as not representative of their silent majority. But the rallies have killed that comforting notion.

Howard is aware that if he imposes the main Sheehy proposals he will alienate a highly vocal pressure group and could turn a "law and order" territory to Labour. The police have no right to strike but they know that they have access to the media and that the Government is vulnerable on crime, having accomplished little in 14 years in office.

He must be wondering how the Government got itself into this mess. But it is worth remembering that Sheehy was brought in because a problem did exist. Some police forces appeared top heavy with management while estates cried out for visible signs of officers on the ground; some police officers treated the public with the arrogance that comes from knowing you can never be sacked; and the public were becoming increasingly disenchanted about burglary clear-up rates.

Sir Patrick has carried out his inquiry and it has taken him longer and given him greater problems than he anticipated. His manner at the last Association of Chief Police Officers' conference in Birmingham indicated a weariness that the police should seem so resistant to the proposals. They agreed, when he first met them, he said, that there was a need for change. Why had they not brought in the changes themselves instead of waiting for his suggestions and then rubbishing them?

They had complained about not being able to get rid of "uniform carriers" who do not pull their weight but they could have acted on this themselves. Why did it need Sheehy to put a rocket in the Panda car and get it moving?

The police will say they were dealing with these: that more officers are being moved out of offices and onto the streets; that an "incapability" procedure was being introduced to get rid of lazy and incompetent officers; that burglars are now being targeted as never before. The Federation's advertising campaign will seek to persuade the public that resistance to Sheehy is altruism not self-interest. That is perhaps the key to the current battle: as a member of the public on Panorama remarked, we have heard a lot about police pay and condition but not a lot about how this will affect the people they are supposed to serve.

PC 49, or Archibald Berkeley Willoughby to give him his full title, of radio and comic fame, embodied the notion of the old fashioned copper, fair and honest to a fault. Forty years ago, in the 1954 *On the Beat with PC 49* annual he tells his young readers: "Crime Marches On and so must I, or I'll get a rocket from Sergeant Wright for idling and Gossiping."

Would PC 49 have been at Wembley wearing a "Say No To T-shirt? No doubt he would. But would he have pondered on the irony that the very people used by the Government to help crush the trade union movement in the eighties should now be the last body of organised labour to be able to cause panic in the hearts of that same Government? Now that would be a subject for some idle gossip.

Public urged 'back police over Sheehy'

Duncan Campbell
Crime Correspondent

VIGILANTISM is now regarded as something to "cheer about rather than condemn" because of public disillusion with the criminal justice system, the leader-elect of the police staff association claimed last night.

Richard Coyles, who takes over as national chairman of the Police Federation next month, was appealing to people to back the police campaign against recommendations in the Sheehy report. The service was in peril and public help was needed to save it, he said.

The appeal was made at a police rally in Newport, Gwent — the third large rally organised by the federation in its efforts to influence the Government over the Sheehy report. Many officers are opposed to a number of its recommendations, including reduced starting salaries, fixed term contracts and performance-related pay.

Mr Coyles said: "The public no longer believes that the

criminal justice system offers protection to law-abiding citizens, because not only does it fail to convict so many of the guilty, it also regards punishment as an outmoded concept.

"The public is less concerned about whether prisoners have it good or bad than whether enough of them are sent to prison as they should be.

"In many areas the public has become so disillusioned that incidents in which people take the law into their own hands and deal out their own version of punishment and revenge are coming to be regarded as something to cheer about rather than condemn."

People were frustrated and angry about the criminal justice system. If the Sheehy recommendations were implemented, the system would be further weakened, he claimed.

Mr Coyles also attacked plans to centralise control of the police, contained in the Government's white paper.

Michael Howard, the Home Secretary, is not expected to make public his final plans until the end of October.

GUARDIAN

26.8.93

Party gunman jailed for eight years

THE young protégé of a Yardie killer was jailed for eight years at the Old Bailey last week for a terrifying shooting at an all-night warehouse party in Ashwin Street, Dalston.

Dermot Brown, 21, of Laurel Street, Dalston, pulled out a gun and fired repeatedly into the crowd after bouncers had tried to eject him from the party on April 17 this year.

Six months earlier, Leroy Lesley - whom police officers regarded as a "top-ranking Yardie" - had gun-

ned down Andre Blackman during a party at Roots Hall community centre, in Millers Terrace, Dalston.

Lesley was jailed for life two weeks ago. Brown was described outside the court as a "young protégé" of Lesley's by Det Sgt Peter Myers, of Stoke Newington police station.

During the shooting, Brown pistol-whipped one

victim while his gang, who have not been caught, stripped guests of their valuables. "It was sheer luck no-one was injured," said prosecutor Mr Peter Clarke.

Brown denied any involvement in the attack, but was found guilty of having a firearm with intent to endanger life, two robberies, having a firearm with intent to rob and assault

causing actual bodily harm.

The judge, Recorder Miss Ann Curnow QC, recommended that Brown, a Jamaican national, who is in Britain on a work/study visa until February, 1995, be deported when released.

Brown's solicitor said afterwards that he would be appealing against the convictions.

MURDER CHASE COPS COMMENDED



● Sgt John Gough.



● Pc Alan Phillips.

COURAGEOUS coppers from Hackney who risked their lives in a high-speed pursuit of a shotgun-wielding murderer have been hailed as heroes.

Sgt John Gough and Pc Alan Phillips joined 11 other officers in a 20-mile car chase across London after Theodore Aymer hijacked a minicab after shooting 17-year-old Alexander Hanchaw at point-blank range in the Horn of Plenty pub in Mile End four years ago.

The cab was eventually brought to a standstill after being forced off the road by an armoured Landrover.

Sgt Gough and Pc Phillips, both of whom are based at Hackney police station, were commended for their bravery by Deputy Assistant Commissioner Michael Taylor.

Immigration meeting

SPEAKERS from the Hackney Community Defence Association, the Kurdistan Solidarity Committee and the Joy Gardner Family Campaign will share the platform at a public meeting in Stoke Newington on Sunday.

They will give their views on Britain's immigration laws and issue a clarion call to all those who feel threatened by them.

"The threat of deportation and the immigration laws themselves threaten the future of thousands of people in Hackney," said a spokesman for the organisers of the meeting. "Immigration laws help incite xenophobia and enable racists to make immigrant workers into a scapegoat for economic and social crises."

The meeting will take place at the Halkevi Community Centre, Stoke Newington High Street, and will start at 3pm.

SAFETY FIRST

EAST LONDON'S top cops and council leaders got together last Friday to discuss how to improve security in the area.

The conference, the first of its kind, was organised by the Metropolitan Police's Deputy Assistant Commissioner Michael Taylor, who said: "Areas of discussion where a joint approach is important include racial incidents, traffic matters, youth initiatives, social services and environmental issues."

Representatives of the boroughs of Hackney, Tower Hamlets, Newham, Barking and Dagenham and Havering attended.

HACKNEY GAZETTE

27.8.93

Is there a political motive behind Hackney police's "Provocation" tactics?

POLICE OFFICERS, sjer with details of 23 from Hackney, Stoke Newington and City Road police stations are being accused of provoking confrontation with the African-Caribbean youth of the area. It is alleged that there has been a series of provocative beatings and arrests.

The Hackney Community Defence Association claims it has a dossier

with details of 23 locals who allege police malpractice in their being charged with assault against police officers.

Roughed up

The men allege that they became involved in heated verbal exchanges with some police officers. They allege they were roughed up and

then charged with assaulting some police officers.

Five of these cases allegedly involve men arrested at police stations after they had gone to express their dismay over the behaviour of police officers.

These incidents coincide with last month's conclusion of the Operation Jackpot inquiry in

to corruption at Stoke Newington police station, the results of which have not yet been made public. Local people feel that the treatment meted out to some African-Caribbean men may be related to a craving for revenge on the part of some policemen who feel humiliated by

Vendetta

the inquiry.

Other observers claim that the vendetta against African-Caribbean citizens may be related to police anger over the recent Sheehy report. Some claim that maverick junior officers may be using such tactics to demonstrate the need for a greater allocation of public resources to "combatting crime in the

inner cities."

Thus far, locals have remained calm. "People have been showing remarkable restraint but there are limits to what some of the younger members of the local community can put up with," a spokesperson for the HCDA told *Caribbean Times*. "The attacks reported to us have involved the hospitalisation of several people,

and we are worried that one day we may have a corpse on our hands, like the tragedy of Joy Gardner. This must be avoided at all costs and calls for responsibility on all sides."

Chief Superintendent Bernard Taffs of the Hackney Police was not available for comment at the time of going to press.

CARIBBEAN

TIMES

31.8.93

Police woo trade unions over Sheehy

Duncan Campbell
Crime Correspondent

THE Police Federation is making an unprecedented appeal to the trade union movement for support in its campaign against the Sheehy report, claiming that the proposals would emasculate the federation and be a threat to democracy.

A half-page advertisement from the federation, which represents rank and file officers, appears in *New Times*, the paper of the Democratic Left, formerly the Communist Party, for next week's TUC conference. It says the police are unable to take industrial action and calls the Sheehy report a blueprint for disaster.

Mike Power, editor of *New Times*, said: "This is an incredible shift in attitude by the police towards trade unionists, particularly compared to the brutality faced by the miners during the strike in 1984/85."

"Police attitudes are changing as they face mounting political attack from the Government. Some of us on the left are also changing and becoming more open and pluralistic. We welcome this opportunity to develop greater understanding."

The appeal is the latest move in the high-profile battle the police are waging against the report. The Home Secretary, Michael Howard, has said he will listen to responses until the end of this month, after which he will decide which of the recommendations to adopt.

The police object particularly to proposals for a lower starting salary, performance-related pay, fixed-term contracts for all ranks and retirement at 60 instead of 55. The federation is also unhappy that in negotiations over pay and conditions it would be reduced, as its adver-

tisement puts it, to the status of a consultative body.

Other advertisements are to appear in the *Spectator*, *Tribune* and *New Statesman* and in the brochures of the party conferences, where fringe meetings will also be organised.

Dick Coyles, who takes over from Alan Eastwood as federation chairman next week, is urging "total rejection" of the report and is campaigning against it in trade union style. Mr Eastwood is seeking to become a Conservative MP.

Police authorities are recommending compromise. In a statement today, Jim Jennings, chairman of the official side of the Police Negotiating Board, which advises the Home Secretary on pay and conditions, says these "need modernising but not at the expense of a demoralised police service".

The police authorities propose fixed-term contracts for senior ranks only, rejection of the proposed retirement age of 60, an appraisal system to reward officers, a slimmer rank structure, abolition of the housing allowance for recruits and lower overtime payments.

They are fighting the Government's decision to impose its appointees on police authorities.

● John Prescott, Labour's transport spokesman and a strong defender of the party's links with the unions, is rated the shadow cabinet's most effective campaigner by trade union leaders, with a score of almost seven out of ten in the *New Statesman's* annual survey of general secretaries and TUC general council members, writes Seumas Milne.

That has taken him from eighth to first place in the past year. Gordon Brown and Tony Blair have respectively slipped to fourth and sixth place from first and third. John Smith's rating is down 20 per cent.

GUARDIAN

3.9.93

I SAY, I SAY

A regular feature in which
guest writers have their say



This week's contributor is
former Hackney Council
leader Andrew
Puddephatt who is
general secretary of
Liberty

HACKNEY can be a hard place to live. It has never been an area of great wealth and in the last few years the effects of recession and the withdrawal of government investment have wreaked havoc upon our community.

Like many other so-called "inner-city" areas, we live with poverty, crime and racism. But Hackney is also characterised by a culture of resistance.

This culture has a long history. In the 18th century, Hackney was home to groups of Dissenters (including Joseph Priestley) who established their own schools. Mary Wollstonecraft lived and worked here for a while.

Throughout the 19th century, a powerful Labour and trades union movement

developed. In the 20th century, Hackney people helped keep fascism from our streets, not just in the 1930s, but in 1962 when Mosley attempted a comeback in Ridley Road Market, and in more recent years.

This tradition of dissent and resistance is one we can all be proud of. As anybody who has been on the local council can tell you, Hackney people are quick to complain, to lobby, to challenge decisions and, if necessary, demonstrate to make sure their voices are heard.

Alongside this culture of resistance is a tradition of diversity. Hackney, since the industrialisation of the 19th century, has always been a mixed community. It is an area where successive waves of immigrants

have settled, initially from elsewhere in England and from Scotland or Ireland.

Later, immigrants came from central and eastern Europe, from the Indian sub-continent, from China, Africa, the West Indies, Cyprus, Turkey and Kurdistan. In fact, there are no majority communities in Hackney - we are all minorities here.

Growing out of these two traditions of resistance and diversity has come a commitment to equality, the recognition that every human being is born with a set of rights that cannot be taken away.

It is this history - of diversity, resistance and equality - that, for me, makes Hackney more than a bad news story in the national press.

HACKNEY
3.9.95 GAZETTE

Blacks think police racist, survey finds

Duncan Campbell
Crime Correspondent

FOUR out of five Afro-Caribbeans believe that the junior ranks of the police are prejudiced against them, according to a survey for a BBC programme. Half of those interviewed said they had either no or very little trust in the police.

The findings will come as a blow to senior ranks of the police who believed that anti-racist initiatives within the service were beginning to bear fruit. Paul Condon, the Commissioner of the Metropolitan Police, has made fighting racism in the service one of his priorities.

Last night's BBC2 programme, All Black, commissioned the Harris poll after the death of Joy Gardner, who died following attempts to deport her by police and immigration staff. Thirty areas with large Afro-Caribbean populations were surveyed.

Eighty-one per cent of those surveyed believed there was prejudice among junior ranks of the police, 78 per cent among middle ranks and 74 per cent among top ranks. This accords with anecdotal evidence that

the anti-racism initiatives published by senior officers are not filtering down to officers on the beat. Most metropolitan forces are seeking to counter this by recruiting more black officers.

The survey found that the police were seen by 85 per cent as treating black people "very unfairly". Another 34 per cent thought they were treated "quite unfairly". The only hopeful sign for the police was that people were less critical of their local force.

Only 10 per cent said they trusted police "a great deal", compared with 27 per cent who said they trusted them "not very much" and 23 per cent who had no trust at all.

Of Afro-Caribbean men interviewed, 70 per cent said they had been stopped by police. In London, this has been one of the main causes of tension, with many black men complaining they are routinely pulled in if they are driving new or high performance cars.

The producer of the programme, Charles Bruce, said: "Seventy per cent of black people believe they are treated unfairly by the police. This flies in the face of the many initiatives designed to improve community relations after the inner-city riots of the 1980s."

GUARDIAN

4.9.95

Police may be prosecuted over shooting

A MAN shot by police who thought he was about to carry out an armed raid on a pub is planning to start his own legal proceedings.

As he walked free from the Old Bailey last week, Lee St Rose said: "I can't really say anything because we might be pursuing a civil case against the police."

The prosecution offered no evidence against St Rose and his co-accused, Michael Hamill, a Hackney Council painter and decorator, after a re-trial was unable to reach a decision on a charge of conspiracy to rob.

Armed police officers had ambushed Hamill, 35, of Parnell Road, Bow, and St Rose, 41, of Blair Street, Poplar, outside the King's Arms in Bow Road on September 10 last year. It was alleged that they were planning to rob Thomas Walsh, the pub's manager, who was collecting more than £3,000 from the bank next door.

As the suspects' car drove off, St Rose was shot in the left arm by Po John Benson, who had accidentally shot himself in the thigh as an open door of his Range Rover hit a park bench.

Hamill was arrested at the scene and St Rose later that same day at the pub he then managed, the Flying Scud, in Hackney Road, Bethnal Green.

Hamill said they went to the King's Arms to speak to a man about some money which had been stolen from the Flying Scud. Mr Trevor Burke, defending St Rose,

DUO CLEARED OF PUB ROBBERY PLOT AFTER TWO-TRIAL DEADLOCK

claimed that Po Benson fired back after he thought he had been shot by St Rose.

Hamill and St Rose were cleared of possessing a prohibited weapon with intent after Mr Burke told the court that the stun gun St Rose was said to be carrying during the incident was at his pub all the time.

But the jury were deadlocked on a charge of conspiracy to rob and were discharged after more than four hours' deliberation - as were another jury. Hamill and St Rose, now unemployed, denied all the charges.

Prosecutor Mr Peter Walsh told the court: "It is the practice that if two juries in succession fail to reach a verdict then that is the end of the matter unless there are exceptional circumstances. There are none, and following that practice the Crown offers no evidence."

After the judge had entered not guilty verdicts, Hamill said outside court: "We are both very relieved that our innocence has been finally proved."

Police can call special line for an interpreter

TONGUE-TIED coppers across east London can now converse in any one of 140 languages at the touch of a button.

Language Line, which operates from an office in Victoria Park Square, Bethnal Green, is a 24-hour, 365-day-a-year service providing down-the-line interpreters.

Officers needing instant help in a foreign language dial a switchboard and are connected to the relevant interpreter, who then sets up a conference line.

The service has been extended to cover the whole of east London following a successful 12-month trial in the Metropolitan Police's Limehouse division, in which a high proportion of residents come from ethnic minorities.

Hackney police will be able to use the facility for six months, after which it could go London-wide.

No wonder there is talk of vigilante groups

READING letters week after week complaining about noise, anti-social tenants, squatters etc., it is sad that so many of them (including myself) have to have their name and address withheld for fear of reprisals.

When are the council and the police going to take these people's complaints seriously? I cannot comment on the mobile patrol as I've never bothered with it as it's been a waste of time for so many others I know.

What I can say is that when the council and the police know when a flat is being used for drug dealing and three years on business is still booming, you finally realise what an incompetent council we have and a police force who are, apparently, not bothered.

No wonder there is talk of vigilante groups forming in Hackney. Once an abhorrent thought, it now fills one's heart with hope and delight that justice will at last be meted out. - NAME AND ADDRESS SUPPLIED.



EIGHT-YEAR-OLD Samantha Hayes and Po Alan Kendall, from Hackney police station, tried a hands-on approach to puppeteering when Punch and Judy man Uncle Arnold brought his show to the 11th Hackney Wick Festival on Saturday. Hundreds of people turned up for the afternoon

That's the way to do it!

of music, fun and rides, held on the Trowbridge Estate, Eastway.

Uncle Arnold's traditional show was one of the day's most popular attractions, alongside a selec-

tion of fairground rides, a bouncy castle and arts and crafts stalls.

Live music was provided by the Unity Band, Common Law Story Tellers, Aroma Rage, Paul Mece and

Ginger Williams. A disco by Crem de la Crem also kept the crowds on their toes.

Hackney Community College's mobile advice centre was also on hand to dish out the latest information on college vacancies and training opportunities in the borough.

HACKNEY GAZETTE

10.9.93

Police hurt in Asian protest

Lawrence Donegan
and John Ezard

SIX people needed hospital treatment last night after a vigil in east London by about 600 people in protest against the attack on an Asian student, Quaddus Ali, ended in violence.

Scotland Yard said 10 people were arrested. Five police officers and one civilian were treated at hospital, while 20 other officers received minor injuries.

Eyewitnesses said police were attacked with stones and banners while attempting to arrest a demonstrator.

Brian Williamson, the manager of a grocer's store opposite the Royal London hospital,

scene of the vigil, said until then the protest had been peaceful. "That all changed when the police moved in."

Kevin Blowe, who was at the vigil for the Newham Monitoring Project, said police overreacted to a few young Asians flicking rolled-up Anti-Nazi League stickers at them and made an arrest. "A lot of people were leaving the vigil because they were bored, when three officers went to arrest one of the young men. The crowd grabbed the lad back, then other police moved in."

Humaiun Kobir, aged 15, who was among the demonstrators, said: "Once the police arrested someone everyone just rushed in and started beating the police up. There were about 10 officers and they were all get-

ting beaten up. That's when the riot police came."

A police officer said: "They promised us there would be no violence and it would just be a peaceful vigil. For that reason we only had eight to 10 officers at the scene to start with."

Mr Ali, aged 17, from Stepney, was with three friends when he was set upon by a group of eight whites, including a number of skinheads. He still critical but stable last night, a hospital spokesman said. The attack has prompted renewed calls for legislation to deal with racially motivated violence. There were 4,140 racial incidents in London in 1992. The largest group of victims were Asians.

Picture, page 6

GUARDIAN

11.9.93

PC in cell murder case denies attack

Duncan Campbell
Crime Correspondent

A POLICE officer at the centre of a murder investigation yesterday denied attacking a man found dead in a police cell.

He said he was unable to remember asking his wife to remove blood from his shirt the day after the incident.

The officer accepted that in the past he had assaulted two women with whom he had had relationships, and had received psychiatric treatment.

PC Paul Giles told an Old Bailey jury he had arrested Patrick Quinn in Shepherds Bush, west London, on December 23, 1990 for drunkenness, and taken him to Hammersmith police station. Shortly afterwards Mr Quinn, aged 56, was found dead in a cell.

His cellmate, Malcolm Kennedy, 46, a restaurateur from Stoke Newington, north London, who had also been arrested for drunkenness, is pleading not guilty to Mr Quinn's murder. The trial is Mr Kennedy's second for the murder. His conviction at the first was quashed by the Appeal Court earlier this year and a retrial ordered.

Mr Kennedy claims Mr Quinn was attacked by a police officer. Yesterday Mr Giles told Timothy Langdale, QC, prosecuting, that he neither assaulted nor attacked Mr Quinn. "I strenuously deny any allegations that are put to me in that respect." He had merely put Mr Quinn in the cell and left him lying on a mattress. Later he saw him bleeding profusely.

"At the time it appeared his eye was on his cheek. Also in the cell was Mr Kennedy. I was in shock at seeing such a horrific sight. I remember seeing Mr Kennedy smiling."

Mr Giles agreed he had once

smashed his way with a hammer into the house of a woman friend. "There was some trouble in the relationship because she was ignoring me. I could not cope with it at the time, so I smashed the window of the kitchen door with a hammer and let myself in. The woman was in the house."

Under cross-examination by Michael Mansfield QC, Mr Giles denied he had a capacity for violence, but agreed he had assaulted two women. "I assaulted those women," he said. "I have not assaulted other people."

He said he had received psychiatric help after smashing his way into the woman's home, but was not currently on medication. The woman was now his girlfriend. He added that he had slapped a former fiancée on the back of the head with the palm of his hand once after he had been drinking.

He said his wife had wanted to wreck his career, and suggestions that he had assaulted her were untrue.

"You're telling a pack of lies," said Mr Mansfield.

Mr Giles said he was telling the truth. "I totally reject ever assaulting my wife, whatever she says. I told my bosses she was going to make allegations of assault against me."

Asked if he had asked his wife to wash a shirt which had spots of blood around the breast pocket the morning after the murder, he said he could not remember doing so. He could not recall telling her the blood spots were the result of him trying to revive the dead man.

He denied telling friends when he was in the RAF how to hit people in the face while carrying a lighted cigarette.

Asked if he had punched an RAF colleague in the face, he said: "That is a goddam lie."

The case continues on Monday.

GUARDIAN

11.9.93

Police station cleared of organised drug-dealing

Duncan Campbell
Crime Correspondent

AN INVESTIGATION into what senior Scotland Yard officers have described as the most serious allegations of police corruption for 20 years is likely to lead to the prosecution of a small number of officers and the dismissal of others. But it will clear the police station investigated of organised involvement in drug-dealing.

The Crown Prosecution Service and the Police Complaints Authority are still considering the report on Operation Jackpot, which completed inquiries in July into allegations that officers at Stoke Newington police station in north London took drugs from dealers — including crack cocaine — and resold them.

The inquiry also looked at a large number of complaints that evidence in drugs cases had been fabricated and planted. One officer has already been jailed for dishonesty, three have been suspended and eight transferred to other stations.

Neither the prosecution service nor the complaints authority will comment until their findings are made known, probably at the end of October. But the Guardian understands they are looking at evidence of serious misconduct in the case of one officer.

Two or possibly three others could face charges of conspiracy to pervert the course of justice, or perjury. Others are likely to face disciplinary proceedings and, if the case is proved against them, be required to leave the service.

The prosecution service is considering the likelihood of a successful prosecution against police officers when the main witnesses they would call have convictions for drug offences.

The Director of Public Prosecutions, Barbara Mills, has taken a personal interest in the inquiry, and will be aware of expectations that action be taken against those officers who are widely regarded in Stoke Newington and Hackney as having fabricated evidence against defendants, for the most part black.

The inquiry, led by Detective Superintendent Ian Russell, of

Scotland Yard's Complaints Investigation Bureau, has not found evidence that there was organised recycling of drugs or that the problem was widespread.

It is believed that one officer will be named as having a relationship with a known crack dealer and that a small group of other officers will be named as having behaved dishonestly.

Allegations that some may have kept money and drugs seized from drug dealers have been aired. But the vast majority of officers investigated are likely to be cleared.

Sandringham Road in Stoke Newington has been one of the main drug dealing areas in the capital, and residents have expressed dismay that dealers appeared to be able to peddle drugs with impunity.

The decisions by the prosecution service and complaints authority are unlikely to satisfy all sides: Hackney Community Defence Association, which has represented a number of those who made allegations against the police, has named 13 officers it believes are dishonest.

"We are looking into the pos-

sibility of challenging the DPP with a judicial review if they make a decision not to prosecute," said Graham Smith, of the association, last night. "We anticipated all along that there would not be many charges."

Stoke Newington police have complained, for their part, at the length of the inquiry, which began in 1991, and say that suspicions have hampered their work against drug dealers. They now have to use videotapes to

secure convictions because jurors are so sceptical about the words of Stoke Newington officers. (Some of those arrested in the area now reportedly ask to be taken to Stoke Newington police station because they believe this will assist their chances of an acquittal.)

The police also believe that the prosecution service has unnecessarily dropped cases because suspended or transferred officers were involved.

GUARDIAN

16.9.93

Police urged to keep closer watch on suicide risks

POLICE watchdogs want prisoner custody procedures reviewed after a man tried to hang himself in a cell at Stoke Newington police station by tying his belt and shoe laces together.

Cops managed to cut him down from the makeshift noose and resuscitate him after finding him unconscious during a routine check.

The man, who had been arrested on theft charges, later claimed he had tried to kill himself because he had broken up with his girlfriend.

Details of the suicide attempt were revealed to Hackney's Police Community Consultative Group at

Robbery suspect tried to hang himself in station cell

by RUSS LAWRENCE

its meeting last week. Chair of the consultative group, Betty Blomfield, expressed her concern in her other role as chair of Hackney's Home Office-appointed Lay Visi-

ors Panel - a watchdog group which checks on the welfare of detainees held in Hackney's police cells.

She said she had always been under the impression police removed everything which could be considered harmful to a prisoner, such as any sharp implements, cigarette

lighters and belts, ties and shoe laces.

"I think police should review its policy on detainees because they are responsible for the health and welfare of people held in custody," she said.

Stoke Newington's top cop,

Chief Supt Niall Mulvihill, said strict guidelines concerning prisoner custody procedures had been followed in this case, but nobody could predict the unforeseen.

"It is down to the judgement of the custody officer to decide if someone is emotionally disturbed or considered a potential suicide risk - in which case clothing would be removed," he said.

"This prisoner was quite normal when arrested, showing no signs of being emotionally unstable.

"Surely nobody is suggesting that every normal person we arrest must have their laces, belt and tie removed - that would be adding insult to injury," he added.

TOP OF THE TABLE

But Hackney Council would prefer to be bottom as complaints to the Ombudsman soar past 300

HACKNEY Council has topped the complaints league table in London for the second year running.

Local government watchdog the Ombudsman logged 332 moans against the authority in 1992-93.

Hackney was the only borough to break the 300 barrier in registered complaints. Its nearest rival was Southwark Council, which received 263.

And out of 17 complaints investigated in Hackney, maladministration causing injustice was found in 15 of them - the highest ratio in London in successive years.

by NIGEL MORRIS

Tory leader Cllr Joe Lobenstein labelled the findings an "abusive disgrace."

He said: "There is only one way of solving this problem and that is to vote Labour out next May."

"It is an innate sign of despair on the part of people in the borough that so many complain to the Ombudsman as compared to other London boroughs."

Hackney Council's chief executive, Jerry White, admitted he was "disappointed" and that further improvement was necessary.

Problem area

In 1990-91, the authority received 207 complaints with 10 cases of maladministration causing injustice proved. This rocketed to 271 complaints in 1991-92 with 15 cases of maladministration.

Dr David Yardley's annual report published on Wednesday showed council housing repairs is still a problem area.

Complaints were settled locally in 104 cases. No maladministration was found in 107 cases while 105 complaints were outside the Ombudsman's jurisdiction.

Mr White said: "I am very disappointed that the number of cases which required formal investigation is the same as the 1992 figure."

"While I am far from complacent about the number of Hackney complaints against a 30 per cent London-wide increase in the total number of complaints, the Hackney increase was 22 per cent."

He added: "We are taking people's complaints seriously and every investigation case and all significant local settlement cases are individually reported to councillors."

"Further improvement is necessary. Action is being taken and I expect to see much better figures next year."

Neighbouring Tower Hamlets Council logged 199 complaints in 1992-93, compared to 160 the previous year.

Tower Hamlets Council leader Peter Hughes said: "The high number of complaints to the Ombudsman is a sign that Tower Hamlets is rightly encouraging people to be demanding citizens."



● PC Clive Ingram.

PAT ON THE BACK FOR POLICE WHO STOPPED FIFTH-FLOOR PLUNGE

QUICK-THINKING coppers who stopped a woman from throwing herself off a fifth-floor balcony have been rewarded for their tenacity.

Pcs Clive Ingram and Kevin Sheppard held on to the struggling woman as she tried to jump from her flat at Banister House, Homerton, last October.

The bobbies, who are based at Hackney police station, received Royal Humane Society testimonials from the Met Police's Deputy Assistant Commissioner Michael Taylor.



● PC Kevin Sheppard.

CRIMEFIGHTERS SET FOR ROUND TWO

HACKNEY'S community crimebusters go into action at an all-day conference at the Town Hall on Sunday.

Police, councillors and tenants will unveil new plans to crack down on burglary, drugs, mugging and vehicle crime.

They will also look at how to improve neighbourhood watch schemes and the general climate for law and order.

About 100 people, representing about 10,000 Hackney residents, are expected at the meeting - the

second in the Hackney Crime Prevention Panel's bid to reduce crime in the borough.

Six committees were set up in June at the HCCP's first meeting to come up with practical ways of stopping crime. Each committee has five members and is chaired by a senior councillor, supported by a senior police officer and three representatives from residents' groups.

A third and final meeting is planned for November 13 when the agreed action plans will be implemented around the borough.

Council leader Cllr John McCafferty said: "The solid good sense and positive input of the June conference put us well on the track to getting effective community action on burglary, mugging, vehicle crime and drugs planned for 1994."

Iain Turpie, HCCP's secretary, said: "We have complete serious backing from the local police who have grasped the real potential the conferences have to get something really done with community backing about reducing crime in the borough."

MUSLIM LEADER CALLS ON POLICE TO STAMP OUT RACISM

COMMUNITY leaders called for a crackdown on racial abuse this week as an uneasy calm settled over the East End following running street battles between police and protesters.

"The unnecessary violence against the police on duty is deplorable, but police failure to make any impact on the racially motivated youth of east London is equally deplorable," said former Hackney mayor Cllr Shuja Shaikh.

He was speaking after an anti-racist demonstration outside the Royal London Hospital in Whitechapel erupted into violence as members of the Bengali community sought an outlet for their anger.

"Racists in east London have murdered Muslims at the rate of more

than one a year in the last 12 years," continued Cllr Shaikh, who is chair of the British Muslim Council. "It is high time the government brought in legislation to make it a new statutory offence to commit acts of racial violence."

Violence flared on Wednesday night last week after 17-year-old student Qudus Ali was attacked and left for dead by a gang of whites in Commercial Road, Stepney.

He is in a stable condition at the Royal London after being taken off a life support machine.

Court 'games' obstruct justice, says police chief

Vivek Chaudhary

CCOURT proceedings have become like a game and legal technicalities get in the way of establishing the truth, the Chief Constable of Thames Valley Police said yesterday in a stinging attack on the criminal justice system.

Charles Pollard, who has been Chief Constable for two years, told his police authority: "The central core of the system is the courts and the way they operate.

"They set the standard and culture for all the agencies concerned with maintaining law and order.

"Yet court proceedings have become far too much like a

game. The objective should be to get at the truth yet, far too often, rituals and technicalities get in the way."

Mr Pollard was referring to a recent case at Reading crown court in which the prosecution offered no evidence against three animal rights activists to protect sensitive police records.

Police claimed that the records had no relevance to the case but the judge ruled they should be disclosed. The defendants were formally found not guilty.

The case, said Mr Pollard, was symptomatic of a malaise within the criminal justice system. "Far from providing a process of analysis to sift facts and ascertain what happened, court proceedings provide an area for

adversarial virtuosity with the truth often becoming clouded by a variety of irrelevant smoke screens.

"It makes the job of the judges and magistrates very difficult indeed. What is needed is new vision for the trial system."

Mr Pollard called for the recommendations of the Royal Commission on Criminal Justice to provide the basis of this "new vision." Implementation was a matter of urgency.

Last month Albert Pacey, who retired as Chief Constable of Gloucestershire, said the criminal justice system was archaic and inadequate and that the police were "totally fed up" with the way crime was dealt with.

GUARDIAN 18.9.93

Anarchy fear as police rail at paperwork

Duncan Campbell
Crime Correspondent

AROUND 45 tons of paperwork in one case may have to be handed over by police because of new rules on disclosure of information, a police conference heard yesterday.

The cost of paper alone in another case had now reached £2 million, the Police Superintendents' Association conference in Torquay was told.

As a result of such cases, and the Government's failure to address problems of crime and punishment, there was a risk of "anarchy". The conference passed a unanimous vote of no-confidence in the criminal justice system after a day-long debate.

Chief Supt Brian Ridley of the Metropolitan Police told the conference that defendants' demands for access to unused material had led to the abandonment of major cases and to hundreds of officers spending weeks producing paperwork.

"In one on-going case [involving child-murder] we have only disclosed one third of the unused material so far, 15½ tons of paper," he said. "In another [fraud case] there is over one million pages of unused material, and in addition to the defence solicitors there are eight other agencies asking for full disclosure. The cost of paper alone will be just under £2 million. To read one copy of the unused bundle at 500 pages a day every day of the year would take a lawyer 5.4 years — and they bill the Legal Aid fund for it."

In the first case it was possible the defendant would require all the paperwork, amounting to 45 tons, he said.

The process of printing out and preparing such material had absorbed the equivalent of about 180 constables, and if this was reflected nationally it

would mean the police service had lost 900 officers, he said.

Mr Ridley, who co-ordinated the service's evidence to the royal commission on the criminal justice system, said he would shortly be presenting evidence of 15 major criminal cases abandoned because of defendants' moves to obtain the identity of informants. There had been 70 such cases at crown courts in England and Wales since January last year.

He said it was a sad reflection on our system that there was so little apparent concern about miscarriages of justice occurring week in and week out when the top tier of professional criminals were demonstrating that the current law was impotent to deal with them.

Chief Supt Brian Mackenzie of Durham constabulary, who called the criminal justice system a national disgrace, told delegates that Parliament was "totally out of tune" with the people it purported to represent. The legal professional was perpetuating a system which did not seek to establish the truth, he said, and the courts were inconsistent in sentencing those convicted of serious and numerous offences.

"The police are fed up to the back teeth with being made the scapegoat for failings outside our control," he said. "Law-abiding people are tired of being bullied, burgled, beaten, battered and, yes, butchered in their own homes."

He added: "One thing is certain, if the rule of law fails, then anarchy prevails."

The theme was echoed by other superintendents gathered for possibly the last time as an association; the rank of chief superintendent could be discontinued if the Sheehy reforms are implemented and their association could be subsumed into the Association of Chief Police Officers.

GUARDIAN 22.9.93

Howard race to top caught in speed trap

Michael White sees Home Secretary keep his nerve at hostile police conference

WESTMINSTER'S keen band of Michael Howard-watchers have not been surprised to see the new Home Secretary adopt a populist line over crime, prisons and the police, though MPs who still see him as the right's best bet to resist the Kenneth Clarke bandwagon were disappointed to learn that he no longer favours hanging.

Yesterday's drubbing at the hands of yet another police conference might have cracked the nerve of a less resilient politician. It may cost Mr Howard, a sensitive private figure, some sleep as he prepares for next month's vital speech to a disaffected Conservative conference.

But he will bounce back, as he always has during a ministerial career which saw him survive close association with water privatisation, the poll tax and his Cambridge chum and erstwhile flatmate, Norman Lamont. The Home Secretary is nothing if not ambitious; the stakes are high and he is pragmatic.

Since succeeding Mr Clarke at the Home Office during the post-Lamont reshuffle he has abandoned — as soft — proposals to make prison cells more humane, urged people not to become vigilantes and promised more special constables and parish policing.

Notwithstanding yesterday's unexpected announcement of new disciplinary procedures it is a safe bet that he does not feel as attached to millionaire businessman, Sir Patrick Sheehy's market-oriented approach to

police pay and career structure as Mr Clarke was in hand-picking the Sheehy panel. The hostility he faced last night is not something he will be eager to repeat.

Nor can the party faithful be relied on to support even a rightwing Home Secretary in the present mood of public anger over rising crime and falling conviction rates.

Traditionally Tory turf, it is now an open goal for Labour's Tony Blair to restore the connection between individual responsibility and wider social ills. Mr Howard's inheritance is to promise more of the same which his predecessors promised for 14 years.

Grandson of East European Jewish refugees, the son of Llanelli drapers, Michael Howard became a QC, not via the criminal bar but as an employment and planning specialist. Unlike Mr Lamont, elected in 1972 but in cabinet only six months ahead of him, he became an MP in 1983 — and was the first of his year to do enter the Cabinet, as Employment Secretary in 1990.

Sharp and effective in parliamentary debate and Whitehall infighting, the 52-year-old MP for Folkestone and Hythe is a lucid television and platform performer, but one who suffers from lacking a common touch or giving the impression he has deeply-held beliefs.

"He could have argued the case against water privatisation or poll tax," some MPs complain. In short he is not greatly trusted, even on the Euro-sceptical right.

Mr Howard's most likely pinnacle is the chancellorship, but in the present Tory turmoil anything is possible. For the time being he is exonerated from being on the "bastards" list, and predicts that John Major will be prime minister for a long time.

Police dazed by mugging from minister

Duncan Campbell on the short, sharp shock treatment handed out to superintendents

DURING the last war, the Palace Hotel in Torquay was requisitioned for the use of wounded RAF pilots. Yesterday it was a home for wounded superintendents suffering from what they felt was a severe kicking in their consultation processes from the Home Secretary.

The police service is suspicious enough at the best of times about silken-tongued silks and Michael Howard's surprise announcement of new disciplinary procedures, which will remove a police officer's right to silence and legal representation, will merely confirm their beliefs that barristers come somewhere between joyriders and bail bandits in the rogues' gallery.

"We are very, very angry that the announcement was made in this way," said Chief Supt Vernon Jones of the Metropolitan police.

He said it would have a serious effect on police morale which was already feeling battered and confused.

Out on the balcony of the hotel there was a whiff of gunpowder amidst the Hamlet cigar smoke.

"Is this a diversionary tactic?" asked Chief Supt Jimmy Johnstone of the Lothian and Borders police, in Torquay as a

guest from across the border. "Or is this kicking the police while they're down?"

Supt Glyn Lewis of North Wales constabulary was also dismayed by the Home Secretary's announcement: "We are very disappointed. We thought we were still in the consultation process."

A trio of North Yorkshire officers on the balcony above the hotel's nine-hole golf course felt that the Home Secretary's decision augured ill for the future and the likely direction he will take over the Sheehy report and the White Paper on police reform.

"Our concern extends to the White Paper, where there is a constitutional shift in the line of control of the police," said Chief Supt Tony Fitzpatrick. "Who knows what would happen with an extreme left or extreme right government in 20 years' time?"

Visiting superintendents from the Royal Ulster Constabulary were sympathetic. Bill Davidson said that the Home Secretary was taking away a basic right when he ended a police officer's right to silence in a procedure over which he could lose his job. His colleague, Anne Donald, agreed, saying that what England and Wales got today her force would have imposed on it tomorrow.

Torquay's best-known hotel, Fawley Towers, doesn't actually exist, of course. But there was a feeling among the sober-suited and blue-blazered superintendents yesterday that if Mr Howard was not exactly the Minister of Silly Walks, he had still managed to put his foot very firmly in it.

GUARDIAN

23.9.93

Howard tries to soothe irate police

Duncan Campbell
and Eriend Clouston

THE Home Secretary, Michael Howard, yesterday sought to defuse the simmering row between himself and the police service by inviting police leaders from all 52 forces in the United Kingdom to meet him for a discussion of the Sheehy report on police roles and responsibilities.

His invitation came as the Police Federation, which represents rank and file officers, attacked his new disciplinary proposals as resembling a "drumhead court martial".

Mr Howard had announced new procedures for dismissing officers at the Police Superintendents' Association conference in Torquay on Wednesday. He also said that he would announce at the end of October which parts of the Sheehy report he will implement.

Chief Superintendent David Golding, president of the superintendents' association, said: "We must seriously question the value of the meeting if all he is going to say is 'I hear what you say but I have nothing to say until the end of October'."

Mr Golding said it was likely that they would also tell Mr Howard of their dismay at his unexpected announcement on discipline changes. Yesterday

delegates at the superintendents' conference passed, with only one dissenting vote, a motion calling on the association's executive committee to seek an early meeting with Mr Howard to make clear the strength of members' feelings.

The national chairman of the Police Federation, Dick Coyles, said last night that the new procedures amounted to a complete abolition of almost every legal safeguard to protect officers from the risk of wrongful dismissal.

Speaking at a federation branch meeting in Plymouth, he said: "To devise a system which enshrines the instant judgment of a drumhead court martial is a travesty of justice. We cannot meekly accept this decision. It puts every officer at the mercy of the malicious pointed finger, gossip, rumour, tittle-tattle and conspiracy."

The federation has said it would seek to challenge the change in the courts after it had become law.

Delegates at the Scottish National Party conference in Dunoon yesterday joined in the criticism of the Sheehy Report. A motion declaring that "the quality of Scotland's police service would be greatly reduced should these proposals be implemented" was carried unanimously.

Leader comment, page 25

GUARDIAN

24.9.93

'Listen to white voters'

HACKNEY North MP Diane Abbott has called on politicians to listen to the voters who handed the fascist British National Party a council seat.

In a statement to the Gazette, she says: "It is not enough to condemn the BNP... white voters in the East End were trying to tell us something."

Last week the BNP candidate Derek Beackon took the Millwall seat on Tower Hamlets Council by seven votes amid scenes of street fighting and "Sieg Heil" salutes. Two days later, violence erupted in Brick Lane between BNP members and the Anti-Nazi League.

The victory sparked instant condemnation from Hackney councillors. Tory leader Joe Lobenstein said: "Being a refugee from Nazi oppression, you can understand how I feel now that Hitler's disciples have gained a foothold on our own doorstep."

On Wednesday, during a full council meeting, Cllr Lobenstein asked council leader John McCafferty to denounce the BNP as the "equivalent of the pre-war German Nazi Party."

But Diane Abbott warned politicians of all parties that "unless the issue is argued through, it is all too easy for embittered white voters to see the black community as the source of their problems."

She also blamed Thatcherism and the Canary Wharf development for fuelling the anger that led to the BNP vote. "It is typical of the Tories that they put the profits of their property speculator friends above the needs of ordinary people and their families living in the East End," she commented.

by NIGEL MORRIS

Alf Lomas, Euro MP for London North East, also blamed the Liberal-run Tower Hamlets Council for letting the BNP in. "The Liberals have played the racist card at local elections for years. Racists are now benefiting from these policies," he said.

Hackney's Liberal Democrat leader, Cllr Colin Beadle, said he would back any expulsion if his Party's internal inquiry proves that councillors in Tower Hamlets were guilty of running a racist campaign.

He said: "We have to stand up to fascism, but at the same time not take our eye off the ball and not fall out. All Parties must be united in addressing this problem."

A leading church figure, the Bishop of Stepney, the Rt Rev Richard Chartres, said: "The politics of violence, hate and division also wastes young lives and makes no contribution to solving the real problems that we face."

Courageous cops



●Pc Darren Townsend.



●Pc Christopher Tweedale.

BRAVE bobbies who confronted a drunken woman wielding a steak knife have been commended for their courage.

The woman lashed out at City Road coppers Christopher Tweedale and Darren Townsend as they tried to arrest her after being called to a disturbance in Hoxton Street, Hoxton, last November.

She later admitted to having a pathological hatred of the police and attempting to kill both officers.

Pcs Tweedale, 25, and Townsend, 24, received their bravery commendations from Deputy Assistant Commissioner Michael Taylor.

THIRD TRIAL FOR MAN ACCUSED OF POLICE CELL MURDER

ALLEGED police cell killer Malcolm Kennedy faces another retrial after dramatic new evidence has come to light.

Kennedy, 47, is said to have kicked 53-year-old Patrick Quinn to death as they shared a cell at Hammersmith police station in December, 1990.

But Kennedy and his defence barrister, Mr Michael Mansfield, QC, claim that a police officer is the real killer.

Kennedy, formerly of Church Walk, Stoke Newington, was convicted two years ago, but a retrial was ordered after a hearing at the Court of Appeal.

On the fourth day of last week's retrial, Mr Mansfield asked for a second retrial to allow the defence time to study new evidence.

Kennedy, now living in Streatham, denies the murder of Mr Quinn.

HACKNEY GAZETTE

24.9.93

Police corruption fears return to haunt the Met after 20 years

Commissioner acknowledges impossibility of total purge

Duncan Campbell
Crime Correspondent

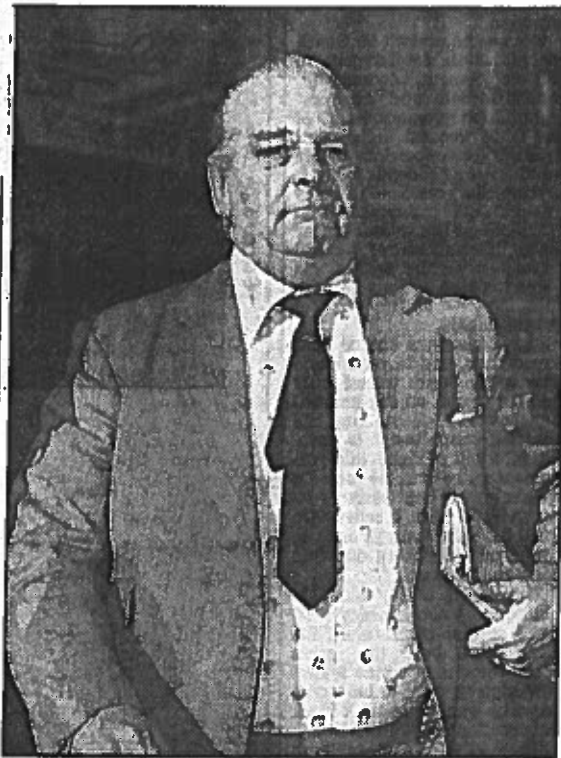
"CORRUPTION in a police force is like a sin in society at large. You will never wholly eradicate it for it is embedded in the greed and selfishness of human nature."

So wrote Sir David McNee, the former Metropolitan commissioner in his autobiography 10 years ago. Yesterday Paul Condon, the present commissioner, echoed his words. In 10 years time, doubtless his successor will be required to do the same. But this week's allegations have come at a time when the Met hoped that such charges were mainly associated with the dark era which rocked Scotland Yard in the seventies.

In November 1988 the Times published serious allegations about three detectives and a south London criminal which led to the prosecution of the officers and a general realisation that all was not well in the Met. It also led to the suggestion that corrupt officers operated a "firm within a firm" which could provide everything for the criminal from bail and information to advice and a way of recycling stolen goods.

When Sir Robert Mark took over as commissioner in 1972, he found a detective branch which he felt to be deeply corrupt. His aim was to run a service which "caught more criminals than it employs" and to "make virtue fashionable."

In the course of what Sir Robert portrayed as a cleansing of the Augean stables, 478 officers resigned, many in anticipation of criminal proceedings. More public humiliation for the police came in the form of a series of high profile trials of senior officers from the Obscene Publications and Drugs Squads where substantial payments were being made rou-



Commander Ken Drury ... jailed for eight years in 1977

tinely for protection from prosecution.

The highest head to roll was that of Commander Ken Drury, who was exposed by the Sunday People in 1972 while holidaying in Cyprus with a Soho pornographer called Jimmy Humphreys. He was finally arrested in 1978, along with 11 other officers, including another former commander. Mr Drury was jailed for eight years in 1977.

No sooner had the drugs and vice cases been aired than the Met was subject to further scrutiny in August 1978 with Operation Countryman, set up originally to inquire into corruption in the City of London police but soon extended to the Met itself and examining improper relationships with armed robbers. Only two prosecutions resulted and the outside investigating officers from Dorset

police complained of obstruction from their Metropolitan brethren.

New systems for payments to and for the running of informers were believed to have dealt with some of the main forms of corruption but in 1991 fresh allegations surfaced suggesting that officers at Stoke Newington police station in north London had been corruptly involved with drugs.

One of the officers has already been jailed on another matter. These allegations led to Operation Jackpot, the investigation whose findings will be announced next month.

James Morton, editor of the New Law Journal, says of police corruption in his book, Bent Coppers, published last week: "The attitude seems to be, 'Well, it did happen once but that was a long time ago and, anyway, the bloke resigned.'"

Credibility of intelligence service faces new challenge

NOTHING could be more damaging to the National Criminal Intelligence Service, which started operating officially on April 1 last year, than a suggestion that there was a corrupt officer in its midst, writes Duncan Campbell.

The service, which employs 440 police, Customs officers and civilians, was set up as an elite intelligence-gathering exercise which many saw as a blueprint for a future British FBI.

Its brief was to gather and analyse intelligence about serious crime, excluding terrorism, and criminals of national and international interest, taking over the functions of existing police intelligence teams.

It took pride in having recruited some of the best detective brains from the police and Customs and was soon announcing details of big targeting operations aimed at career criminals from its headquarters in Vauxhall, south London. It has five regional offices.

But 18 months later, NCIS still has to persuade doubters that it is giving value for its £25 million a year budget.

Despite claims to have contributed to the arrest of more than 330 top criminals, some forces have complained that the intelligence gathered has not always been properly passed on and some Metropolitan Police squads are privately dismissive of the strength of the information provided.

The organisation's first director, Tony Mullett, the former Chief Constable of West Mercia, was taken ill after a West African police conference and announced his retirement on health and personal grounds after less than a year in charge.

The new director, Albert Pacey, the former Chief Constable of Gloucestershire, took over last month and was seen as a sign that the Home Office wanted a conservative in the job.

Police corruption inquiry launched

Duncan Campbell
Crime Correspondent

SCOTLAND YARD has launched an inquiry into allegations of corruption involving detectives said to have sold sensitive information to drugs dealers. Three officers have been arrested.

The Commissioner of the Metropolitan Police, Paul Condon, said yesterday that fellow-officers felt "tarnished" by the allegations but said it would be naive to imagine that corruption could ever be completely

eradicated. He promised a "robust" investigation.

The allegations that criminals had been able to buy intelligence and to purchase bail from police officers were made in the BBC's Panorama programme on Monday night.

The programme suggested that a man called Kevin Cressey was offered police surveillance logs linking him to drugs for £30,000; that a police officer suggested staging a bogus burglary at Surbiton police station to hide the disappearance of the documents; that sensitive information from the National Criminal Intelligence Service is sold to criminals; that a criminal was able to buy bail for £18,000.

The most damaging allegation for the police is that a big international investigation was compromised, a charge which could damage relations with foreign police forces.

Panorama had monitored the relationship between a detective and one of Britain's top 200 criminals for five months.

Two officers, one a detective sergeant in the National Criminal Intelligence Service, were arrested on Monday. A third officer, Detective Constable John Donald, of the South East Regional Crime Squad drugs branch, was arrested yesterday in Croydon, south London.

The programme suggested a number of other officers were involved in corruption. Last night a Scotland Yard spokesman confirmed that the inquiry, led by Detective Chief Superintendent Ian Blair of the Complaints Investigation Bureau and supervised by the Police Complaints Authority, was looking at the information provided by the BBC. It is understood police were alerted two days before the programme.

The arrest of an NCIS officer, Detective Sergeant Tom Bradley, has already had a damaging effect on morale in the service which was formed only 18 months ago and which relies on the complete trust of those with whom it deals. NCIS is still trying to establish itself as the main intelligence-gathering arm of the police.

Yesterday, Mr Condon admitted his disappointment at the allegations but added: "It is a healthy sign that we are shocked and horrified because it shows we still demand high standards from our police service."

He said the vast majority of policemen were honest and hard-working and "would feel tarnished by allegations of that nature".

Corruption fears return, page 2;
Pass Notes, Q2

GUARDIAN

29.9.93



Man sought after 'Panorama' allegations
is third detective to be questioned

Policeman named in TV programme is arrested

A REGIONAL crime squad detective alleged to be at the centre of a major corruption inquiry involving his links with a suspected drugs trafficker was arrested yesterday afternoon after being on the run since Monday night, when two of his colleagues were detained.

Scotland Yard had issued an alert for Detective Constable John Donald, a Metropolitan Police officer attached to the drugs wing of the south-east Regional Crime Squad who was named in a BBC *Panorama* programme on Monday night as receiving and soliciting large sums of money from a suspected drugs dealer. He was detained in the Croydon area yesterday afternoon and was being questioned last night.

Two other Metropolitan Police detectives were arrested at about the same time as the programme was being aired. Both have been released on bail.

A few days previously, *Panorama* had notified Scotland Yard of the result of its five-month investigation, during which two hours of meetings between the officer and the alleged trafficker were taped.

The affair overshadowed yesterday's launch by Paul Condon, the Metropolitan Police Commissioner, of the force's Policing Charter, which sets out performance targets.

Asked about the inquiry, Mr Condon said: "Corruption ... is one of those things that are never going to go away. The fact that we are shocked and horrified is a healthy sign that we demand high standards [from the police], and so we should."

It would be naïve to expect corruption ever to be completely eradicated, he said, but the vast majority of policemen were honest and felt "tarnished" by such allegations. The force would take "robust action" to deal with corrup-

TERRY KIRBY
Crime Correspondent

tion: "We must be absolutely ruthless in seeking out corruption and dealing with those found guilty."

The programme alleged that the detective offered to sell the trafficker surveillance logs for £30,000, received £18,000 for helping the man get bail, offered and obtained a police file in return for £1,000 and demanded a £10,000 fee for telling him that the police knew about a planned major cocaine trafficking deal. It was suggested that a number of other officers were involved in corrupt practices.

The inquiry into the allegations is being conducted by a senior officer of the complaints investigation bureau and supervised by John Cartwright, deputy chairman of the Police Complaints Authority.

The charter launched yesterday set out seven performance targets. These include answering 999 calls within 15 seconds 80 per cent of the time; arriving at urgent incidents within 12 minutes 75 per cent of the time; and to assist callers at police stations without delay 75 per cent of the time. Results will be published initially for the force as a whole and eventually for local stations.

Mr Condon said: "This is an important step towards a new accountability to our public. We are telling the people of London what they have a right to expect from us and the standards they can judge us against."

■ A pamphlet published yesterday by the Hackney Community Defence Association and Hackney Trade Union Support Unit in east London claims working-class communities "live in fear of police crime". It calls for a separation between the uniformed and detective branches of the police.

Police 'may claim right to strike'

Duncan Campbell
Crime Correspondent

CALLS for the police to have a right to strike and work to rule will be inevitable if the Sheehy report on the roles and responsibilities of officers is implemented, Dick Coyles, the chairman of the Police Federation, said yesterday.

He said the service would become a shambles if the views of the police were not heeded.

Mr Coyles was firing the last shots in the war of words over the Sheehy report as the federation presented its official response to the report to Michael Howard, the Home Secretary. Today is the final day of consultations on the report's findings, and Mr Howard has indicated that he will announce which proposals he intends to adopt towards the end of next month.

"If the Sheehy report is accepted and implemented, the resulting inflexibility, divisiveness and substantial drop in remuneration will lead to an irreversible decline in policing standards, combined with a collapse in our members' morale," said Mr Coyles.

The proposals for performance-related pay, whereby an officer is rewarded according to performance, experience, role and location, would lead to a total shambles, he said. Almost every study showed that it failed to achieve cost and efficiency savings.

While he opposed the right to strike, he said it would be naive

to imagine that federation members would not call for such rights if Sheehy recommendations were introduced without reference to the needs and concerns of officers. If the Government expected the police to cover for firefighters and prison officers on strike, it should treat the police decently.

The federation and the Policy Studies Institute said yesterday they were setting up a joint independent committee of inquiry into the role and responsibilities of the police, because the Sheehy report, Royal Commission on Criminal Justice and white paper on police reform failed to address fundamental questions.

It will include senior police officers and legal experts and is expected to sit for 18 months.

The Police Superintendents Association is handing in its final response to the Home Secretary this morning. It states that a police service based on the Sheehy report would be a "disgrace, a disaster and a betrayal of the public".

The superintendents are broadly in agreement with their federation colleagues, although they differ from them by rejecting the proposal to abolish the ranks of chief inspector, chief superintendent and deputy chief constable.

Mr Howard has given no public hint on what measures he favours from the report. It is understood that he is unlikely to proceed with the proposal to raise the retirement age to 60 from 55 or for fixed-term contracts for junior officers.

GUARDIAN

30.9.93

We are party of law and order, says Blair

Nicki Kneeling

TONY Blair positioned Labour to take the Tories' high ground yesterday when he told delegates: "Labour is the party of law and order in Britain today. Tough on crime and tough on the causes of crime."

The shadow home secretary underlined his commitment by telling delegates that the place for those whose behaviour put them outside society was out of society "until they learn to behave like human beings within our society."

The only solution to crime "lies in strong communities prepared to act to protect their citizens". While he paid tribute to the 18,000 police injured last year while on duty, he said fighting crime could not be their sole responsibility.

Labour was the party of strong communities — of schools, businesses, voluntary organisations, local authorities, local people, and the police "prepared and organised to stand up and resist those committing crimes to put the law-abiding majority back in control of their own destiny."

He pledged that Labour would implement immediately the Government's report on crime prevention, which had urged that local partnerships be set up by local authorities, but which had been shelved.

He criticised the white paper which paves the way for merging police forces, and the Sheehy Report, which recommends short-term contracts and performance-related pay. But he did not elaborate on whether Labour would be prepared to support any part of it.

"The Labour Party does not believe in a centralised, commercialised police force driven by the determination of the Tories to cut costs, but in a local police service in partnership with local communities, driven by the determination of the people to cut crime," he said.

The Government should not be fighting the police authorities and the police service, but fighting crime. It was an extraordinary sense of priorities, but it was really about shifting the blame after 14 years in government during which crime had doubled and the criminal justice system had been destroyed. "Fourteen years of the Tory lie that they are the party of law and order."

There was no market forces solution to crime. "You cannot privatise your way to a safer Britain."

Mr Blair said no one but a fool would excuse crime on the basis of social conditions, but no one but a Tory could deny the impact of the conditions in which people lived on the character they developed.

When a culture was allowed

to grow outside society's mainstream — alienated with no hope, a culture of broken homes, truancy, poor education, drugs, no jobs, or dead end jobs... when we sow the seeds of such a culture, we should not be surprised at the harvest we reap.

"That is why rebuilding Britain is not just in the interests of the poor, the unemployed and the dispossessed. It is in the interests of us all... Anyone can see that Tories' denial of community leads to injustice."

Opening a wide-ranging debate that included Northern Ireland, party funding, racism, heritage, criminal justice, and electoral reform, Mr Blair promised reform of race and sex equality laws, the extension of witness protection throughout the country, ending court delays, and a programme of punishment and rehabilitation to divert as many as possible from a life of crime.

Garry Brooks (Leigh) introduced an emergency motion calling on the Home Secretary, Michael Howard, to reject Sheehy's proposals on policing reform and drop the Government's white paper on police authorities.

Labour home affairs spokesman Alun Michael said the Government had failed to tackle rising crime and was now trying to divert attention away from the problem by attacking the police.

GUARDIAN

1.10.93

ANARCHY WARNING OVER POLICE SHAKE-UP

A STOKE NEWINGTON community group fears that proposals to shake up the police force would end in "absolute anarchy ruling on the streets."

Recommendations within the controversial Sheehy Report include plans to axe middle management posts and cut overtime.

Stoke Newington East Sector Police/Community Working Group have warned the government and police chiefs that the Army would be the only option left if a riot erupted.

Their fears are highlighted in a letter, copies of which have been sent to the Prime Minister, Metropolitan Police Commissioner Paul Condon and the Home Secretary, Michael Howard.

Group chair Heather Whitelaw says that the Stoke-Newington East Sector, which has 212 officers, needs a further 28 to be fully staffed.

by NIGEL
MORRIS

"We fear that if the recommendations of this report are implemented and a serious riot situation should occur, manpower levels would be so seriously depleted as to risk loss of life or limb within the community," says Mrs Whitelaw.

"The only option that I can see left open would be to call in the military forces. As has been seen in the past, this inevitably exacerbates the situation."

She adds: "I am aware that the Sheehy Report is only a list of recommendations, set out to attempt to streamline the police."

"However, I ask you to seriously think of the concern that you would be creating if you were to implement its findings."

'Lock up
young
offenders'
says
police
officer

A HACKNEY police officer has supported calls to lock up young offenders after a court allowed a Homerton schoolboy to remain free, despite facing 13 court appearances in one year for alleged car crimes.

"The worst punishment this boy has been given so far is 16 hours at an attendance centre," said Sgt Dave Grant, of Hackney police station in Lower Clapton Road.

Speaking in the week in which it was reported that the Home Secretary wants to change the law to allow child

offenders to face custodial sentences, Sgt Grant said persistent juvenile offenders should lose their freedom for six weeks for each offence.

"Although reported crime in the borough dropped last year, it's very demoralising for police officers to see kids like this get away with their crimes. They're laughing at us, the courts and the public because they know they can get away with it," he said. Sgt Grant estimates 50 to 60 per cent of Hackney's burglaries are carried out by juveniles.

ANTI-NAZI STALLS CLOSED DOWN

ANTI-RACISTS who set up stalls in two Hackney markets on Saturday were told by police to pack up or face arrest.

Members of the Anti-Nazi League this week accused cops of harassment and denying free speech. The police say they were responding to complaints from Hackney Council's market inspectors.

The ANL were ordered to close down the stalls in Hoxton Street and Well Street markets where they had been handing out leaflets.

"We've set up in both markets several times before this year and have never had any problems, so why all of a sudden

now?" asked Matt Foot, of the Hackney branch of the ANL.

Inspector Peter Radburn, from City Road police, explained the stalls were unlicensed and had been causing an obstruction.

A council spokesperson welcomed people handing out anti-racist leaflets in the borough's markets as long as they did not obstruct shoppers or traders or set up unlicensed stalls.

"Indeed, many Labour councillors and both Hackney MPs joined anti-racist leafleting in Well Street only a couple of weeks ago," she added.

HACKNEY GAZETTE

1-10-93

Tories attack on law front

Alan Travis
Home Affairs Editor

AN END TO the right to jury trial for 35,000 defendants a year and a limit to the historic right to silence of the accused will form the centrepieces of the law and order package to be unveiled at the Conservative Party conference next week.

John Major and Michael Howard, the Home Secretary, met yesterday in Downing Street to complete the details of the most stringent law and order package for a decade, which they hope will trigger the Tories' recovery in the opinion polls.

Law and order is to be given top billing at the Blackpool conference, where the shattered public confidence in the criminal justice system is reflected in the 244 resolutions tabled by constituency parties demanding action. Mr Major is expected to devote a third of his conference speech on Friday to the issue.

According to recent opinion polls, Labour is breathing down the neck of the Conservatives on law and order, with the Government's approval rating on the issue slumping in the past 18 months from plus 14 per cent to plus 2 per cent. This was underlined by Tony Blair, the shadow home secretary, who claimed on Thursday that Labour was now the party of law and order.

In an attempt to rescue the position, Mr Howard will ignore the recommendations of the two-year Royal Commission on Criminal Justice and announce on Wednesday that he is to amend the defendant's right to silence to allow the judge or prosecution to instruct a jury that a refusal to answer police questions implies guilt.

Although this move will be welcomed by the police and most judges, who believe the right is abused by professional criminals, it will be strongly resisted by barristers and solicitors who argue that it will lead to more miscarriages of justice.

The traditional caution to the suspect that they have "a right to remain silent but anything you may say will be taken down and used in evidence" is to be amended. In future it will read: "You have the right to remain silent but if you fail to answer a relevant question... a court or jury may conclude that your silence supports the evidence against you."

The Royal Commission, which reported in July, concluded that while this may lead to more convictions of the guilty it was outweighed by the risk to the innocent.

The Home Secretary will announce his intention to implement many other recommendations of Lord Runciman's Royal Commission, however, including rules to enforce the earlier disclosure of the defence case to prevent last-minute alibi ambushes in court.

Mr Howard will also unveil proposals to end the backlog of court cases, including ending the traditional right of a defendant to insist on a jury trial for certain offences. More than 35,000 cases a year are heard in the crown courts because the defence has insisted on a jury trial against the decision of the magistrates. More than four-fifths end up pleading guilty.

The Home Secretary will announce plans to cut police paperwork and to introduce a national DNA database of suspects.

Mr Howard will also give the go-ahead for an independent commission to examine alleged miscarriages of justice. The Royal Commission was set up in the aftermath of the final acquittal of the Birmingham Six.

The package is likely to draw fierce criticism from MPs, the legal establishment and penal reformers. Last night Harry Fletcher, assistant general secretary of the National Association of Probation Officers, said: "Home Office ministers are turning the clock back to the 1930s. Common sense and good practice are being jettisoned for political expediency."

Harsher system, page 4; 500 prisoners freed, page 7; Leader comment, page 20

Criminals face a harsher system

Alan Travis
Home Affairs Editor

THE criminal justice proposals to be unveiled by Michael Howard, the Home Secretary, will be supplemented by further measures to flesh out the law and order "crackdown" in legislation at the end of November.

Mr Howard and his criminal justice minister, David Maclean, have instructed their officials to produce workable draft clauses to the bill.

Proposals that have been considered include:

Cautioning: An end to the system of repeat cautioning of juvenile offenders in the face of a rapid growth of its use by police. There is likely to be a restriction of two cautions for an offender.

Cautioning could be put on a statutory basis, and national guidelines introduced to end the sharp variation in its use by different police forces.

Secure training units: Officials have been asked to examine reducing the minimum age for these new "borstals" for persistent juvenile offenders to the age of 10. The Home Office has published plans for five, each with up to 40 offenders aged 12 to 16, at a cost of £50 million. The Treasury has suggested basing them in old army camps to reduce costs.

Ministers are also considering shifting emphasis away from education to a more austere "short, sharp, shock" environment.

Bail: Officials are consider-

ing reversing the fundamental principle that bail should be granted unless the police believe there is a possibility of the accused absconding or interfering with witnesses.

Electronic tagging: Back on the agenda after being shelved last year after disastrous trials in three cities. It was also considered to be too expensive to cover the whole country.

Tags fitted to an accused person's ankles or wrists to monitor curfew orders were used as an alternative to prison for those awaiting trial. The tag emits an electronic signal which alerts the authorities if they stray more than 100 metres from home.

Penalties for parents: Parents of persistent juvenile offenders could face a court sanction, such as unpaid work for the community.

Serious juvenile crime: Widening the scope of the 1933 Children and Young Persons Act which deals with the detention of juveniles who have committed crimes warranting a sentence of at least 14 years if they were adults. Plans to reduce the age limit from 14 to 10 for these sentences. Reducing the age of criminal responsibility to eight in line with the Scottish legal system has also been considered.

Prisons: More "austere" regimes with shelving of plans for in-cell television and recreational trips for low-security prisoners. Tighter rules on home leave.

Leader comment, page 20

GUARDIAN

2.10.93

Condon backs Howard's plans to limit right to silence

Met chief defends right to trial by jury

Alan Travis and Clare Dyer

THE Commissioner of the Metropolitan Police yesterday joined the Lord Chief Justice in warning the Home Secretary, Michael Howard, not to press ahead with plans to abolish the right of trial by jury.

Although Paul Condon, the commissioner, supported Mr Howard's expected announcement on Wednesday to limit the historic right to silence, he warned that it was "dabbling with the foundations of the legal system" to consider changing the "sacred" right to a jury trial.

The Home Secretary is expected to embrace this recommendation of the Royal Commission on Criminal Justice which could affect 35,000 middle-ranking cases. It has been backed by Barbara Mills, the Director of Public Prosecutions.

The Lord Chief Justice, Lord Taylor, said at the Bar conference in London over the weekend: "I would be totally opposed to an abolition of the right to jury trial in either way offences." The problem of "cracked trials" — those aborted at the last minute when the defendant pleads guilty after electing jury trial — could be dealt with by better pre-trial hearings.

He blamed late pleas on law-

yers failing to get to grips with cases, and called for higher fees for pre-trial reviews and more intervention by judges.

His plea was echoed by Mr Justice Hidden, presiding judge on the South Eastern circuit. Speaking at a conference session on the royal commission report, he said the only valid argument he could see for removing the right was cost.

"Reducing costs is a laudable object . . . but it is no justification whatever for removing the right to trial by jury for offences considered serious enough to justify that right for a respectable length of time."

The move is expected to exacerbate further the crisis in the crown courts. A claim by Sir Nicholas Lyell, the Attorney-General, that the collapse in the number of cases in the upper courts is due to the police being instructed to drop cases "against the elderly, the frail and the injured on public interest grounds" was disputed.

Labour challenged Sir Nicholas to admit that Treasury cost-cutting did lay behind the increasing number of empty courts.

The shadow attorney-general, John Morris, said the number of cases the Crown Prosecution Service had instructed the police to drop had risen by 78 per cent in the past five years. Just over half were dropped because of insufficient evidence but 32 per cent were also halted

on public interest grounds. "I always thought that the public interest was fairly narrow grounds to drop cases such as someone dying of cancer and were used only in exceptional circumstances. I cannot believe that 32 per cent of the people charged are all frail, elderly or injured."

"The real reason for the fall in crown court cases is, I fear, money. I would need considerable persuasion that the combination in the rise in cautioning and an increase in cases dropped has not behind it the dead hand of the Treasury."

The challenge was made yesterday as it was disclosed that the Lord Chancellor's Department has axed the budget for part-time judges, recorders and assistants forcing courts to close and thousands of trials to be delayed and creating an artificial backlog.

The situation has become so acute that many part-time judges, the next generation of the judiciary, are unable to fulfill their 20 days statutory duty each year they need for promotion to the next level.

The decline in the number of cases going to jury trial has accelerated to the point where it is no longer considered exceptional for 24 courts to be empty on any one day on the South East Circuit. In Kent four courts have been closed leading to the listing of cases being deferred by up to three months.

GUARDIAN 4.10.93

Howard declares crime crackdown

Alan Travis, Patrick Wintour and Clare Dyer

THE MOST coercive law and order package for a decade was unveiled by the Home Secretary yesterday, as the Government prepared to announce today a review of homelessness legislation — designed to reduce single parents' access to council housing and so reassert family values.

The review, to be announced by Sir George Young, the Housing Minister, is seen as integral to the mounting Tory drive to bolster traditional parental values, which ministers have made clear they see as one of the chief ways of reducing crime.

Coupled with yesterday's social security package and today's announcement, the 27 law and order measures signalled a sharp move to the right which was welcomed emotionally at the Tory conference by most representatives and underpinned by the enthusiastic greeting given to Lady Thatcher last night.

In what he described as only the first instalment, Michael Howard announced the toughest package of criminal justice measures — including the abolition of the right to silence — since Sir Leon Brittan's introduction of longer sentences for violent offenders in 1983.

As Mr Howard announced a string of new offences, new powers for the police, and the building of six more private prisons, the Home Office made clear that the promised independent tribunal into alleged miscarriages of justice will be delayed for at least a year.

Mr Howard's measures have not won the wholehearted support of all his cabinet colleagues. Lord Mackay, The Lord Chancellor, is concerned about the implications for court

budgets and spiralling legal aid costs. Restrictions on the use of cautioning will mean more offenders reaching court, more money for part-time judges, and increased costs for the Crown Prosecution Service.

However, party managers hope that the criminal justice package — to be incorporated in legislation in the next session of Parliament — will trigger a Conservative recovery in the opinion polls.

At the centre of the package is the limit on the right to silence, which includes allowing judges to instruct juries that they should infer that a defendant who fails to offer the police an explanation is guilty.

The right to silence has already been removed in Northern Ireland, where a further two of the measures, including a new offence of possessing anything that gives reasonable suspicion of being connected with terrorist activities, have also been tested. The "secure training units" for 12- to 15-year-olds will be based on an Ulster experiment.

The cautioning system pioneered as part of a programme of alternatives to custody is to be overhauled with second and third cautions banned. There will be tougher bail laws and longer sentences for juveniles.

The decision to limit the right to silence flies in the face of the conclusions of Lord Runciman's two-year Royal Commission on Criminal Justice. Last night Lord Runciman said he feared it would lead to more miscarriages of justice: "The fear must be that some vulnerable suspects will incriminate themselves as a result of the Turn to page 24, column 3

Conservative Conference, pages 6 and 7; Hugo Young, and Ministers snap the parent trap, page 22; Leader comment, page 23

Lawyers react with anger to proposed reforms

continued from page 1
guard." Michael Kalisher QC, immediate past chairman of the Criminal Bar Association, said: "It would be a pity to deprive defendants of their right to elect trial in cases of dishonesty."

He said that magistrates sent to higher courts many cases they thought beyond their sentencing powers — six months for one offence and 12 months total — where the eventual sentence did fall within their remit.

Labour, which is launching its own campaign this week on drug abuse among young people and crime in an attempt to capitalise on its recent high profile on crime policy, is likely to welcome the commission's proposal for an independent tribunal.

But Labour will oppose the introduction of plea bargaining.

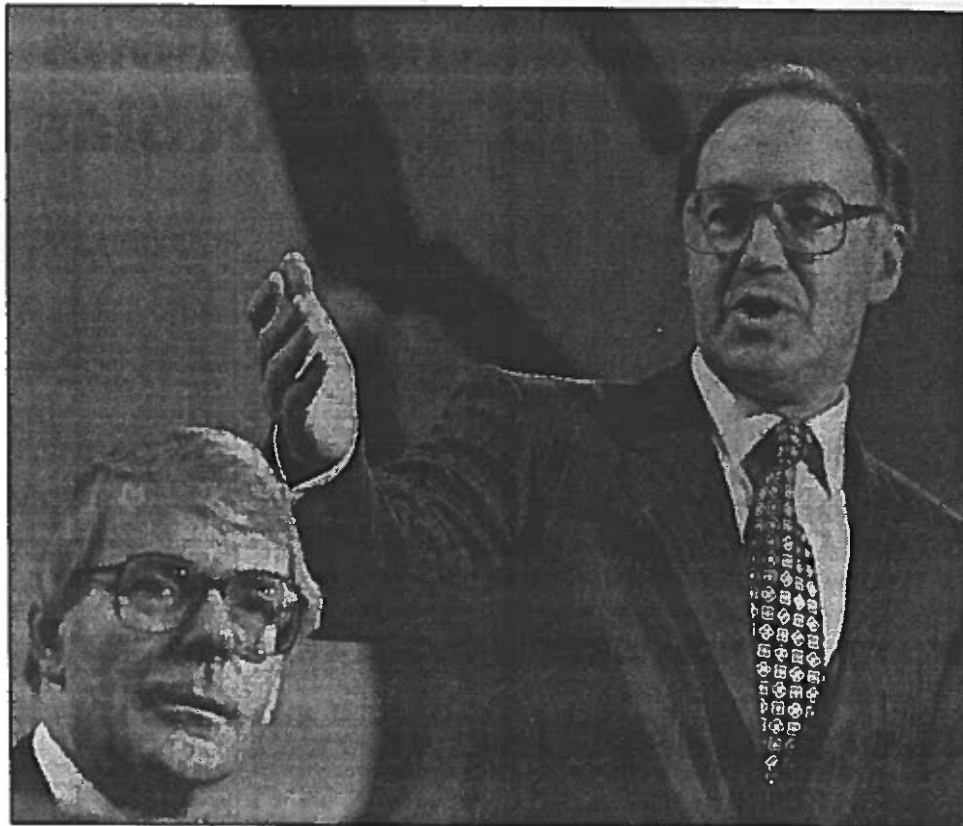
Tony Blair, the party's home affairs spokesman, conceded yesterday that the left had in the past not taken seriously enough individuals' personal responsibility for offences they committed.

He said on BBC television: "The left got itself into the position where it believed you had to choose between personal and social responsibility, could see the link between social conditions and crime, and therefore did not take sufficiently seriously the belief in personal responsibility as well."

"I think there was certainly a tendency for the left to underestimate the importance of emphasising the whole time that you don't excuse crime by the causes of crime."

GUARDIAN

7.10.93



Crimewatch... Michael Howard, with prime ministerial support, pledges to uphold law and order

PHOTOGRAPH: DON MCPHEE

Thumbs down from Leeds 'Toytown'

Martin Wainwright goes off to court to sample people's views on Howard's latest proposals

MICHAEL Howard stood up yesterday just as a lorry was dropping off cans of pop at "Toytown" — Leeds' £28 million new magistrates court, believed locally to be designed by the late Enid Blyton. By the time he had finished, the pop in the canteen was not the only thing that was fizzing.

"Scandalous!" said Bradford solicitor Stephen Couch, emerging from the neighbouring crown court. "The right to silence is one of the last remaining bastions guarding the rights of the accused. Why, it goes back to the 13th century... A man should never be called upon to become his own accuser."

"Disgraceful," agreed solicitor Andrew Babbington outside the magistrates' entrance. "They set up a royal commission and then throw away its advice on this very subject, just to satisfy the right wing of the party."

His colleague David Tyrer said: "We're talking about the Golden Thread of English Law. The presumption of innocence is fundamental."

Chris, aged 18, one of the morning's defendants put the point in common law language: "If you don't want to say owt, you shouldn't have to say owt." He had just had charges against him over a fight dropped.

Mr Howard's plans for stiffer youth sentences left

him equally unimpressed: "Some need it, maybe. Some don't," he said. "For me, it was just a crime school. They gave me two years, and I was taught a whole lot of tricks in there."

Phillip, aged 19, said: "It was the same for me in the secure youth unit." He was not over-bothered about the right to keep silent: "If I've done it, I always admit it. That way, you're likely to be treated leniently."

His remedy for car crime was also Howardian: how could you impress on a "twoccer" [someone who takes without consent] the scale of their victims' grief? "Let it happen to them. Then they'll stop."

Stephen Williamson QC, sitting as a recorder yesterday, vented severe doubts last weekend at a Bar conference about tampering with

the right to silence. His views were under discussion in the courts' press room.

"He made an impressive point about defendants who had been legally advised to say nothing at police stations," said Olwen Dudgeon of the Yorkshire Post.

"What is a judge to say to a jury then? Especially when people are seen at the station by solicitor's clerks, rather than solicitors. As he said: if they want to make changes like this, they should provide the money for a proper duty solicitor system."

Two disgruntled crown witnesses had spent a morning doing nothing. "He should do something about the way courts mess people like us around, instead of playing about with these other things," said one, a retired driver. "I've got to go through it all again."

Right to silence abolished in crackdown on crime

Alan Travis
Home Affairs Editor

ABOLITION of the right to silence for the accused will form the centrepiece of the Government's new law and order legislation to be introduced next month, the Home Secretary told the conference yesterday.

Mr Michael Howard said his package of measures — in which he claimed 27 new announcements — constituted only the first instalment of the "most comprehensive programme of action against crime" by any Home Secretary.

It included new powers to end repeated cautions of offenders and to cut police paperwork, plans to build four more private prisons over the next five years, more help for victims and tougher bail laws.

But the promised new independent review body to investigate alleged miscarriages of justice will not be in the new Criminal Justice Bill, Home Office sources indicated.

Mr Howard said his package would correct the 30-year in-built bias in the criminal justice system in favour of the criminal and against the protection of the public.

The decision to abolish the right to silence goes against a central recommendation of the Royal Commission on Criminal Justice last July.

The Home Secretary, however, did accept the royal commission's recommendations on greater help for victims after the conference heard an impassioned plea from a rape victim concerning her treatment by the courts.

He also embraced its suggestions for a new national DNA data-base to help the police and to abolish mandatory warnings made by judges to juries in rape trials about the truthfulness of alleged women victims.

The abolition of the right to silence, coupled with two new offences of gathering information for terrorist purposes and possessing anything which gives rise to reasonable suspicion that it is to be used in terrorism, import three legal powers used in Northern Ireland.

The Home Secretary will make a further announcement on other key royal commission recommendations, including

the use of formalised plea bargaining and the right to insist on jury trial, over the next few weeks.

Mr Howard told the conference that the right to silence was a complete misnomer: "What is at stake is not the right to refuse to answer questions, but, if a suspect does remain silent, should the prosecution and the judge or magistrate be allowed to comment on it? Should they have the right to take it into account in deciding guilt or innocence?"

"The so-called right to silence is ruthlessly exploited by terrorists. What fools they must think we are. It's time to call a halt to this charade. The so-called right to silence will be abolished. The innocent have nothing to hide and that is exactly the point the prosecution will be able to make in future."

Mr Howard also gave the go-ahead for 20 pilot schemes for parish constables and new

court orders to evict squatters within 24 hours. He also said he will publish a report later this month on cutting police paperwork.

The Criminal Justice Bill will also create a new offence of disobeying police directions to trespassers to leave private land. This is aimed at hunt saboteurs. An offence of intimidating witnesses will be introduced which will also cover retribution after a trial is over.

The system of repeated cautioning of offenders by the police, which has led to much criticism, will be overhauled, with new guidelines stressing that this should not be used for serious offences save in very exceptional circumstances. They will also say that a second or subsequent cautions is not to be used in the vast majority of cases.

As previously announced, it will in future be a crime in itself to commit an offence while

on bail and the rest of the bail laws are to be toughened up. The police are to be given an immediate power to arrest anybody who breaches bail — there were 42,000 such cases last year — and anyone who has been convicted of murder or rape will automatically be refused bail. People on bail will also be disqualified from serving on juries.

The Court of Appeal's power to review lenient sentences will be extended to indecent assault and child cruelty.

Four additional prisons are to be built on top of those planned in South Wales and Liverpool. No decisions have yet been taken on what short-term measures will be adopted to cope with the immediate surge in the prison population. Mr Howard said he would not flinch from sending more people to prison and the criminal justice system would no longer be judged by falling prison numbers.

Package wins police backing but lawyers are unhappy

Claire Dyer
Legal Correspondent

REACTION to the Home Secretary's law and order package was polarised yesterday. Police gave it an unreserved welcome while lawyers, prisoners' rights and civil liberties groups voiced dismay at the abolition of the historic right to silence and plans to lock up more offenders.

Hampshire Chief Constable John Hoddinott, chairman of the crime committee of the Association of Chief Police Officers, said: "I particularly welcome the prosecution right to comment on a defendant's silence, more use of DNA, changes in the presumption to bail for certain offenders and a reduction in the burden of paperwork on the police."

The chairman of the Police Federation, Richard Coyle, agreed: "My message to the Home Secretary is what you have proposed is first class. It will help tremendously in the fight against crime."

But plans to allow judge or

prosecution to comment on an accused's silence in the police station were condemned by the Law Society as "unnecessary and undesirable". Its president, Rodger Pannone, said: "The right to silence is not an old-fashioned and outmoded tradition. It is one of the cornerstones of our justice system."

Robert Seabrook, vice-chairman of the Bar, attacked the move as "misguided", adding: "It's contrary to the Royal Commission's carefully researched advice and evidence on the matter. There's no evidence that it has much effect on increasing convictions of the guilty, and some evidence that it does offer some protection for the innocent and vulnerable."

Professor Mike McConville, director of the Legal Research Institute at Warwick University, who researched the right of silence for the Royal Commission on Criminal Justice, said only 3 or 4 per cent of suspects refused to answer some or all of police questions and half of those were convicted. Many suspects needed the right to silence because of "inapt and

dangerous" police questioning techniques and because most were advised, if at all, by unqualified clerks rather than lawyers.

Paul Boateng, a Labour law spokesman, said: "The fundamental premise of British law is that no citizen is required to prove his or her own innocence. It is for the state to prove guilt. These basic rights must not be swept away amidst the self-induced hysteria of a Conservative conference."

The shadow home secretary, Tony Blair, said Mr Howard's speech confused "brow beating language with firmness of action." He added: "There was nothing on crime prevention nothing to do with the fact that only one in 50 crimes ends in a conviction, and nothing to do with the causes of crime."

Harry Fletcher, assistant general secretary of the National Association of Probation Officers, called the package "a recipe for disaster." He said: "Proposals for locking up more juveniles and restricting cautioning reverse 50 years of progress on youth crime."

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Uniform support... Police surround the three retired detectives as they follow their lawyers out of the Old Bailey after yesterday's ruling that charges be dropped

PHOTOGRAPH: GRAHAM TURNER

'Six' police trial collapses

Ruling puts in doubt high profile cases

John Mullin, Louise Jury and Sally Wain

A NUMBER of prominent prosecutions could be in doubt following yesterday's decision by a judge that charges against three retired West Midlands detectives in connection with the Birmingham Six case should be dropped, lawyers suggested last night.

Mr Justice Garland said at the Old Bailey that the "volume and intensity" of media comment following the acquittal of the six Irishmen more than two years ago made it impossible for the officers accused of fabricating evidence in their case to have a fair trial.

After three days' legal argument, he accepted the defence submission that a trial would represent an abuse of the legal process, agreeing that the case of the Birmingham Six had become "a synonym for forced confession".

There were calls for a public inquiry into the affair last night. The three former officers left the Old Bailey refusing to comment until the judge had given the reasons for his decisions next week.

Retired detective superintendent George Read, sergeant Colin Morris and constable Terence Woodwiss had denied charges of perjury and conspiracy to pervert the course of justice. They were accused of fabricating interviews with Richard McIlkenny shortly

after the men were arrested in November 1974, hours after bombs ripped through two Birmingham city centre pubs killing 21 people.

Inspector Stuart Harris, spokesman for West Midlands police federation, said publicly for the first time that officers believed the six men were indeed guilty. Of those policemen involved in the original inquiry but not charged, he said: "The officers feel their names have been tarnished even if they were not prosecuted. They feel the right people were convicted in the '74 bombings. It's all been a political whitewash."

Sisters Lisa and Michelle Taylor were acquitted on appeal in June of the murder of Allison Shaughnessy partly because the Court of Appeal accepted media exposure during their trial had made it impossible for a jury not to be swayed. Yesterday's judgment was seen as another warning to press and television.

Defence barristers in a number of forthcoming trials may be encouraged to argue media

coverage has 'prejudiced' their clients' chances.

Trials where this might be claimed include the prosecution of Kevin and Ian Maxwell, who face conspiracy to defraud charges arising out of the collapse of their late father's empire, and that of Asil Nadir, should he ever return from northern Cyprus to face £30 million theft charges related to the collapse of Polly Peck International.

Lord Williams of Mostyn, a former chairman of the Bar Council, was disappointed at Mr Justice Garland's decision. He said last night: "I think defence barristers will try to claim media exposure makes a fair trial impossible."

"It is a gambit they will be encouraged to try in the aftermath of the Taylor decision and now this ruling, but I believe a jury is well able to come to its verdict solely on the evidence in court. Six men have suffered imprisonment wrongly for 16 years and the responsibility for it is never going to be examined in a public court."

Billy Power, one of the Six, who was at the Old Bailey yesterday, said: "It seems there is one law for the ordinary citizen and another where the police officer is concerned."

Paddy Hill, also in court, said: "There was more publicity before our trial in 1975 than there was before this one, yet they went ahead."

Dick Spring, Irish foreign minister, said the decision to drop charges was "quite extraordinary in relation to the information that was there" and said the issue might be raised with the British government.

The men said they would be considering a civil action for malicious wounding and false imprisonment.

It was the second time in five months that police officers prosecuted after the Court of Appeal had quashed convictions arising from celebrated bombing cases had walked free from the Old Bailey.

Three retired Surrey detectives were acquitted by a jury of conspiracy to pervert the course of justice arising out of

the conviction of the Guildford Four, who served 15 years in jail for pub bombings in late 1974 which killed seven people.

The Birmingham Six, who have each received £200,000 interim compensation, believe there has been a whispering campaign against them. Paddy Hill claimed in a recent interview that one cabinet minister had said in an off-the-record briefing that the men had been acquitted merely on a technicality.

Chris Mullin, the Labour MP who campaigned for the release of the Six, and wrote a book about the case, called for a public inquiry. "The Birmingham bombings case has brought the British legal system into disrepute around the world. It means we shall never know who was responsible for the huge quantity of fraud and perjury that resulted in the conviction of six innocent men for the Birmingham pub bombings."

Law package to aid prosecutions

Alan Travis and Clare Dyer

THE second instalment of the Government's coercive law and order package will tip the balance of the criminal justice system even further in favour of the police and the prosecution, the Attorney-General has indicated.

It will include the introduction of formal "plea bargaining" into British courts for the first time, the abolition of the ban on police questioning suspects after they have been charged, and new rules allowing the prosecution greater freedom to withhold documents from defence lawyers.

The new measures come on top of the package unveiled by Michael Howard, the Home Sec-

retary, on Wednesday, which he described as the first instalment. Together they will form the basis of the criminal justice bill to be published next month, which will form the flagship of the coming year's parliamentary programme.

But the plans have already run into trouble. Sir Nicholas Lyell, the Attorney-General, has told the Society of Conservative Lawyers that there is already a case before the European Court at Strasbourg which could declare the Government's plans to abolish the right of silence a contravention of human rights.

There is also an intense Whitehall battle going on over a proposal to abolish the right to insist on jury trial in certain cases, with the Lord Chief Justice and Home Office officials ranged against the Home Sec-

tary, the Treasury and the Director of Public Prosecutions.

Many of the measures stem from the two-year Royal Commission on Criminal Justice, set up in the aftermath of the Birmingham Six case. The Attorney-General said he welcomed the safeguards it put forward for the defence but confirmed the Government would resist a statutory requirement for the corroboration of confessions. He said recent decisions in the Judith Ward and Guinness cases had left the prosecution facing an "over-cumbersome" task.

The measures include:
 □ Sentence canvassing: the judge indicates how much the defendant can expect off the maximum sentence if pleading guilty before a full court hearing. This would be conducted in open court but with media

reporting banned. Sir Nicholas said there was "nothing sinister" in this. He does not rule out US-style plea bargaining, with prosecution and defence negotiating charge and sentence.

□ Police questioning: ban lifted on questioning after charge to allow police to explore other avenues of investigation.

□ Curbs on prosecution disclosure: The Home Secretary wants to bring this in as a "matter of urgency". Officials are hurriedly trying to "detach" this measure from other interlocking royal commission proposals on defence disclosure and pre-trial hearings.

□ Serious fraud cases: more serious fraud cases to be settled without jury trial and daily media scrutiny. Instead prosecutors and regulatory bodies to impose fines under judge's supervision.

□ Review of the rules of evidence, which the Attorney-General describes as "artificial and an impediment to justice". Likely to include changes to hearsay evidence.

The Attorney-General also filled in some of the details of the Home Secretary's general announcement on the abolition of the right to silence, saying that although the precise form of the legislation had not been finalised it would be along the lines used in Northern Ireland since 1968. He detailed how it would work.

Sir Nicholas acknowledged that recent years "have been and remain a bruising time for criminal justice", but he believed the law and order package would start to restore public confidence in the system.

Tilting scales, page 5

'Appalling vista' of dual acquittal leaves unanswered questions and shadow over police after 19 years of legal arguments

John Mullin and Sally Weale

IN HIS 95th year, the former Master of the Rolls once more stepped into the Birmingham Six controversy yesterday. This time, Lord Denning, from his home in Whitchurch, Hampshire, cut to the heart of the matter.

He professed his delight at Mr Justice Garland's decision, and turned the clock back to 1980. He had then dismissed the men's civil action against the police and Home Office, claiming such a widespread conspiracy would have required a too "appalling vista" to contemplate.

Yesterday, he said: "The appalling vista is that the Birmingham Six have been acquitted and the police have been acquitted. What is the public to think of our system of law? It raises a big question mark about the whole case."

Just as in the Guildford Four case, three police officers accused in the Court of Appeal when the murder convictions were quashed, have walked free. The outcomes appear mutually inconclusive.

From the beginning, the Birmingham Six alleged police brutality: guns in the mouth, cigarette burns to the arms, punching, kicking, food deprivation and threats against the men's families.

The story was rejected in the courts. Four of the six had signed confessions. The other two had made verbal admissions, police alleged.

Eighteen members of the West Midlands serious crime squad, disbanded in disgrace 14 years later, gave evidence backing the confessions at the Lancaster trial in 1975.

According to Mr Justice Bridge, the trial judges, if the six men are telling the truth, the police have been involved in a conspiracy unprecedented in the annals of British history.

One appeal was refused; another failed. The subsequent civil action against the police and Home Office, presided over by Lord Denning, was categorically dismissed six years after the bombings.

In his summing-up, the then Master of the Rolls, said: "If the six men win, it will mean the police were guilty of perjury, that they were guilty of violence and threats, that the confessions were involuntary and were improperly admitted in evidence and that the confessions were erroneous."

That was such an "appalling vista" that the action must be permitted to go no further.

When the case against the Six began to crumble, only three officers began to find themselves facing criminal action. There were to be no charges relating to assault. Instead, Detective Superintendent George Reade, Detective Sergeant Colin Morris and Detective Constable Terence Woodwiss faced charges of perjury and conspiracy to pervert the course of justice. The case against Detective Constable Rex Langford was dropped at committal.

The Director of Public Prosecutions effectively called a halt following a single discovery 18 years after the bombings. A recently developed forensic test had highlighted incompatibilities with the officers' sworn testimony concerning one interview.

Electro-static deposition analysis (Esda), a technique which identifies from the imprint on a page what has been written on the sheet above, indicated officers must have lied about the circumstances of two interviews with Richard McKenny, one of the four who confessed.

They had told the Lancaster trial they had recorded the interviews contemporaneously. Mr McKenny had always maintained the first of the interviews had never taken place.

Dr David Baxendale, from the Home Office forensic laboratory in Birmingham, carried out the Esda tests for Devon and Cornwall police. The force, under Chief Constable John Evans, had been asked to re-investigate the convictions for the DPP ahead of the men's scheduled second appeal.

The ballpoint pen used in the first six pages was different to the one used for the following three. Police claimed it had been taken from the Morecambe police station.

The second interview of 19 pages, in which Mr McKenny was alleged to have confessed, was also written at different times. The pages were taken from four different pads. There were other anomalies. Some of the notes appeared to have been made up in 1975. Michael Mansfield, QC, representing the men, named 16 officers as being involved in the "web of deceit."

There could be, according to evidence presented at the Court of Appeal more than two years ago, no innocent explanation. The officers concerned, when interviewed under caution, never attempted to give one.

The Director of Public Prosecutions had already conceded the remnants of the discredited forensic evidence against the men. It had purported to show three of them might have been in contact with explosives. Now the DPP came to the same conclusion about the confessions.

It took more than two years for the case against the officers to come to court. Illness and delays in obtaining favoured counsel were among the reasons cited.

Last night Ron Hadfield, West Midlands Chief Constable, said he would have preferred his three former officers to get a full trial. He accepted Mr Justice Garland's argument that it would have been impossible to ensure a fair hearing given the publicity surrounding the case.

"There has been a shadow over the force since 1974. That increased with the appeal and it increased again in 1991. That shadow is still there," he said.

The West Midlands branch of the Police Federation, which paid the legal costs of two of the defendants, said it was confident the men would have been acquitted. Branch spokesman Inspector Stuart Harris said there would now inevitably be allegations of a "whitewash" or "cover-up".

The West Midlands police reopened their inquiries into the bombings after the Six were released. One forensic expert they commissioned suggested he had found evidence that some of the men had handled explosives after all.

Those findings would have been presented had the trial of the officers gone ahead. The inquiry is due to be completed in a few weeks and a report will be sent to the Director of Public Prosecutions. The indications are only that the new evidence is "sensational".

Ruling casts doubts on other high profile cases

Duncan Campbell looks at the implications of the judgment for other miscarriage inquiries

THE collapse of the case against the West Midlands officers yesterday raises questions about investigations being conducted into the behaviour of police in other miscarriage of justice cases. It would also seem to extend the ruling in the case of the Taylor sisters regarding press coverage.

Over the last four years there has been a series of high profile miscarriage of justice cases where there has been evidence of, at worst, a possible conspiracy to pervert the course of justice and malpractice, and, at best, breaches of regulations and negligence. Few of these cases have led to prosecutions and most have not been reinvestigated.

"It's ridiculous," said Judith Ward, who was wrongly convicted of the 1974 M62 bombing in which 12 people died. "Ordinary people get prosecuted but it doesn't seem to happen to police or forensic people."

Ms Ward, who has just published an account of the 17 years she served for the crimes she did not commit, said that despite adverse comments about the behaviour of the prosecuting team and forensic scientists in her case, nothing had happened since her successful appeal in June last year.

"There has been absolutely zilch," she said. "For all I know, they've probably given them all commendations."

The case of the Cardiff Three,

Steve Miller, Tony Paris and Yusuf Abdullahi, who were cleared of the murder of Lynette White at the appeal court in December 1992, has not resulted in re-investigation or prosecution, despite highly critical remarks at the appeal by the Lord Chief Justice, according to campaigners.

The conduct of the police and prosecution in the case of Stefan Kiszko, who was wrongly convicted in 1976 of the murder of a schoolgirl, Lesley Molseed, has been investigated by Lancashire police and a report has been with the Director of Public Prosecutions for months.

Yesterday Mr Kiszko's lawyer, Campbell Malone, said that he was waiting "with some impatience" for the result of that inquiry which was to examine why evidence which might have cleared Mr Kiszko had not been made available at the original trial. Mr Kiszko was freed by the appeal court in February 1992 after 16 years in jail.

There are three outstanding prosecutions resulting from well-publicised miscarriage of justice cases which are due to come to court. They cannot be named because to do so would raise the possibility of the cases being abandoned on the grounds of adverse publicity.

A separate issue is the effect on a trial of adverse press coverage. One of the grounds for the successful appeal of Michelle and Lisa Taylor was that sensationalist and inaccurate

press coverage had made a fair trial impossible. They had been convicted of the murder of Allison Shaughnessy, wife of Michelle's lover.

This issue was addressed yesterday by Edmund Lawson, QC, for one of the officers, who argued in court that it had been difficult to pick up a paper in the past two years where miscarriage of justice was mentioned without finding reference to the Birmingham Six case. He said that on BBC news reports of the Home Secretary's law reform proposals, a comment had linked false confessions with the Birmingham Six. A fax of the comment was shown to the judge.

"Once there has been a saturation level of publicity in trenchant terms, it takes little to re-trigger those memories."

While the Taylor sisters were victims of coverage during their trial, the latest case seems to indicate that coverage of alleged malpractice that leads to an eventual trial, will in future be enough for the trial to be abandoned.

Since most serious miscarriage of justice cases are either widely covered on appeal or are exposed by the media in the first place, this would seem to leave the door open for anyone charged as a result of such a case to claim they could not have a fair trial.

This could extend to any case where there had been dubious coverage before the trial.

Complaints made by the Taylor sisters about the police conduct in their case are now being investigated by the Police Complaints Authority.

The men who went to jail

Hugh Callaghan: Aged 62. Now living with his wife, Eileen, in north London. Only one of the six to have written his story so far: *Cruel Fate*. One daughter, Geraldine, aged 34. She lost her husband in car crash 18 months ago. Two grandchildren.

Unemployed labourer at time of arrest, when he suffered from ulcers. Friends believe he has adjusted well to life outside. **Johnny Walker:** Aged 57. Now living in Derry. Separated from Theresa, his wife of 36 years, but they remain good friends. Seven children, seven grandchildren.

Mobile crane driver at GKN in Witton at time of arrest. Still thought to be on medication for nervous problems. Has trouble with an ulcer.

Billy Power: Aged 48. Now lives in east London. Remarried Nora in 1991 soon after his release, after they had been divorced the previous year. Four children. Four grandchildren. Unemployed painter at time of arrest.

Friends had been worried about how he would fare, but he is coping well.

Richard McKenny: Aged 59.

Married to Kate for 35 years. Six children, 17 grandchildren. Living in a cottage near Dublin. It was reckoned he would be the one most likely to adapt easily, but he is said to be struggling.

Millwright's mate at GKN, Witton, at time of his arrest.

Gerry Hunter: Aged 47. Now living in south-east London. Broke up with Sandra after 25 years' marriage, soon after he was released. "We had just grown apart." Generally refused to see anyone but his closest family when he was in prison.

He was badly affected when the first appeal was lost in 1988, but has impressed observers by how well he has coped since.

Paddy Hill: Aged 48. Now living in north London. Teetotal. Divorced in 1963 by Pat Hill, but they remain friends. Six children, seven grandchildren. Admits to finding it difficult to adapt on the outside. Told the Irish Times two months ago: "If I had a million pounds, I'd give it to go back to jail."

Like the others, has received £200,000 in two payments. The final settlement is expected this year.

The police ^{ED} walk free

WHO polices the police? An old question, still without adequate answer. The Home Secretary this week declared that the criminal justice system was too skewed in favour of the defence. But does this still apply when the defendants are the police? Is he as eager to act on this abuse? Yesterday's decision by an Old Bailey judge to stop the trial of three detectives allegedly involved in the wrongful prosecution of the Birmingham Six is the third major police corruption case to end without a conviction in the last 18 months. Chronologically, they demonstrate the hurdles that prosecution of police malpractice has to pass. Eighteen months ago the Director of Public Prosecutions declined to proceed with the prosecution of any of the officers of the disbanded and discredited West Midlands Serious Crime Squad. Despite the Appeal Court quashing convictions against 11 defendants because of suspect West Midlands police evidence, the DPP decided there was not sufficient evidence to proceed against the squad. In May of this year, an Old Bailey jury acquitted three Surrey detectives charged with corruption after the Guildford Four walked free because of police perjury. Now three suspect detectives in the Birmingham Six case walk free because the time that has elapsed and "saturation" coverage of police malpractice in the case denies them a fair trial.

Are any police officers successfully prosecuted? Yes, quite a few. Some in quite celebrated cases: the porn and drug squad officers in the 1970s after systematic bribery; the Met officers in the "Holloway Van" case — in which four black youths were beaten up — after their colleagues testified against them. Where other officers are ready to testify, conviction becomes more certain. There is a common theme in the three big police malpractice cases where convictions have not been secured: delay in persuading the authorities there was a case to answer, which created huge difficulties in gathering the necessary documentary evidence and put people's memory to a severe test. That is why the proposal for this year's royal commission for an independent review body to examine alleged miscarriages of justice is so important. It would allow the criminal justice system to admit its mistakes more readily — and rectify them more promptly. The reform is urgently needed but, shamefully, will be delayed by the Home Secretary's decision to exclude it from the forthcoming criminal justice bill. Mr Howard should not be allowed to pick and choose from the royal commission's proposals.

Hugh Callaghan recalls his ordeal at the hands of police interrogators after being accused of Birmingham blasts despite pleading innocence

"I WAS totally confused and frightened. I was still dumb-founded at the very idea of being taken in for questioning about crime, never mind such a dreadful one as this. My denials were strenuous, but I could hear my voice faltering.

Why would I want to blow up Birmingham people? I was a family man living and settled in Birmingham since 1947. I had a 16-year-old daughter, a Birmingham girl like any other. The very thought of planting a bomb in a pub that could take the life of a young person just like her, or of any person, revolted me.

I told them over and over again where I was, and who I was with, but they refused to believe me. I was slapped across the face. 'Don't give us that shit, Callaghan. You were there and you're going to tell all about it'.

I was asked about my movements on the evening of the 21st. I told them I went to New Street station to see off five people from home who were going to Belfast; that I went for a drink in a nearby pub, Yates's Wine Lodge, and met a friend I hadn't seen for a long time, John Fannon; and that the police came in to tell us there had been explosions in nearby pubs.

They had the names of the five men I left at the station. I was asked for details about them. At that stage I didn't know for certain that they had been arrested, though I guessed by now that they probably were. None of them were people I regularly met, I explained.

I was asked how I knew Jamesie McDade. I explained that he was a well-known singer and entertainer in the Irish pubs, and that I had grown up with older members of his family in Ardoyne.

I was initially afraid to tell them about the men going home to his funeral: I knew they would never understand that people would travel to another country just for the funeral of a friend or neighbour. However, I did tell them in the end that they had gone to Belfast for the funeral, and that it would be combined with visits to their families. I knew the minute I said it that these people didn't understand. 'Gone to bury their IRA man, are they?'

More questions followed. A lot of accusations were thrown at me about myself and the

other five being in the IRA... They were 'going to get the truth' from me, however long it took. I wanted to scream, I felt helpless.

Throughout the whole process neither of them appeared to be taking notes. I wouldn't have minded, since I had nothing to hide. They never really seemed to be listening to my answers. It appeared to me that their minds were already made up. Everything I said was twisted around, and they kept calling me a liar, at one point suggesting that I could have killed my own daughter. I couldn't believe what I was hearing.

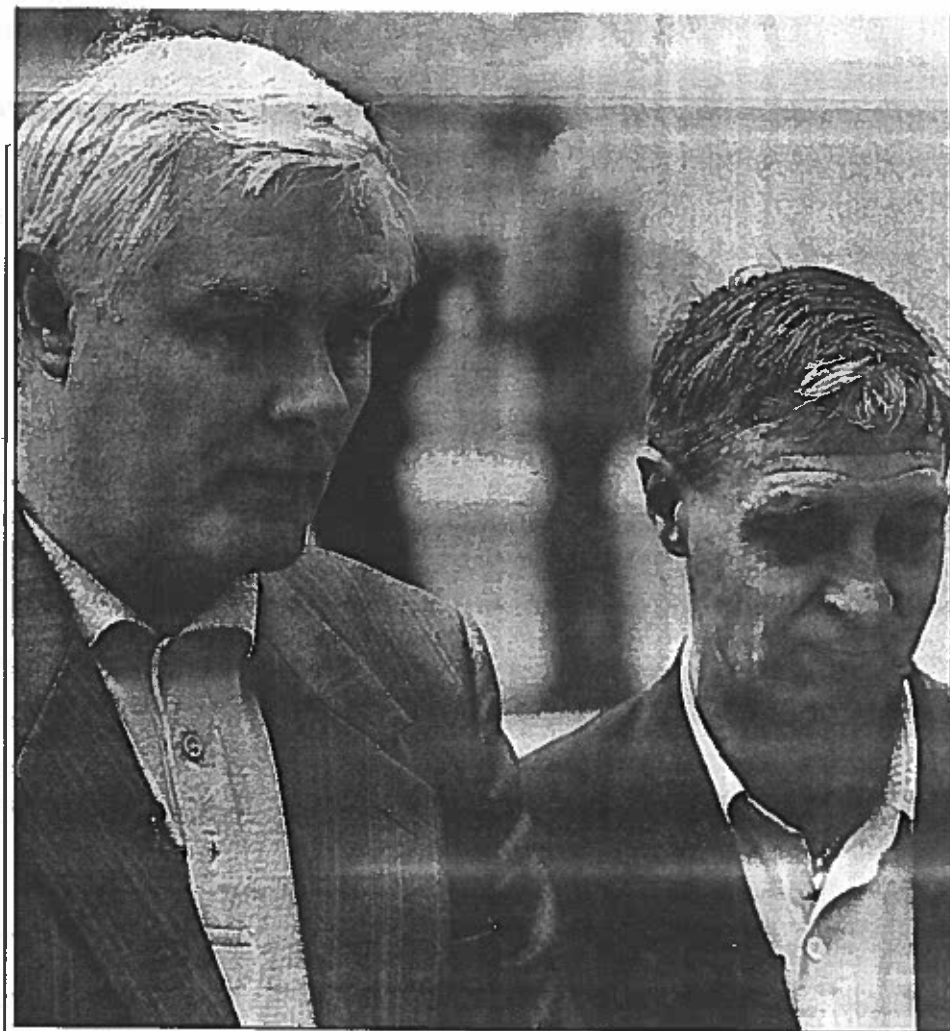
At some point a sheet of paper was flung down in front of me. 'You're involved in all this. It says so here in Billy Power's statement. Read it.' I wasn't up to reading anything. The piece of paper could have been blank. 'I don't care what that says. It's not true. None of us had anything to do with those bombings.' As they had already obtained one confession, implicating me up to the hilt, they told me, it was all straightforward: I should now make a statement, sign a confession. 'I'm not signing anything. I had nothing to do with bombs,' I shouted.

After a few hours of sheer terror, they eventually informed me that I was being moved to another station. I was hoping they would allow me some sleep first, but I was out of luck. In the small hours of Saturday morning I was taken to Sutton Coldfield, and I was placed in a cell underneath the station.

The cell door was left open. The only furniture was a bed, which I was not allowed to lie on. I was instructed to stand upright. If they saw me close my eyes they would shout in at me. 'No sleeping!' I tried a few times to sit on the bed; each time I did someone would yell, 'What are you doing? Get up!' The last time I had slept was Thursday night, and this was now early Saturday morning. Outside the cell were two armed policemen. One of them kept clicking his gun and pretending to aim it in my direction. The second one was a dog handler. The Alsatian wandered in and out of the cell, and he encouraged it to come close to me, sniffing and growling. They warned me that if I moved or closed my eyes the dog would attack.

Around eleven o'clock on Saturday morning I was called back briefly by the same officers who interrogated me the night before. I felt like a compliant zombie, subdued, frightened, confused, and by now very, very tired. I kept wishing for sleep and a nice cold drink. I was taken to be swabbed by a forensic scientist.

I was then returned to the interviewing room to be confronted by my interrogators again. I sat opposite one of the officers at a table answering routine questions about my age and address that I had already answered several hours before. He kept kicking me hard on the shins.



'One law for the ordinary citizen and another where the police are concerned.' Billy Power (left) and Paddy Hill protest at yesterday's decision outside the Old Bailey yesterday

PHOTOGRAPH: GRAHAM TURNER

Every time I flinched he kicked me again. I couldn't say any more. If I spoke I would be kicked, and if I remained silent I would be kicked.

BACK again to the interviewing room, this time with a fresh team of detectives. There were three or four men there. I quickly gathered by their attitude and the expression on their faces that this was the 'heavy mob', sent in to finish the job. Their very presence terrified me. But Christ, I was innocent, and I would keep saying it!

The pain was excruciating.

By now I desperately needed time to myself. I was losing control: I was losing my resolve not to admit anything. A few more hours with these men and I felt I would give up. I was sick and weak from lack of sleep, food, and drink. I was told to strip, and I was left naked for several minutes; then I was told to

dress again, and strip again. The humiliation was unbearable. My embarrassment amused all of them...

When I had still just a blanket around me and was feeling very vulnerable and exposed, one of them raised his fist to me. 'You will make a fucking statement or we will bash you around this cell.' I begged him not to hit me. I pleaded with him to believe my story, which I kept saying I could prove. He wasn't interested; the only thing that was going to satisfy him was a confession.

At some point an exasperated officer grabbed me bodily and pinned me against the wall. Strange, animal-like noises emanated from him; his eyes were wild, like a man about to kill. My head hit the wall and bounced back. I was dizzy; I thought I was going to get sick. I really believed he was going to kill me — at least it would have

been an escape from this terror. Another policeman realised that his colleague was going too far. He pulled him from me, rescuing me like an impartial referee. He put his hand on my shoulder and spoke very quietly. 'I'm not like him.' He walked me back to the table; I was like a lamb. 'Come on, mate, you'll do it for me.' I had never experienced such terror or pressure in my life before. I knew before God that neither I nor any of the others had any part in planting bombs. I just couldn't take any more. I begged them once more to believe me, but I just wanted it over with and to be left alone. At my lowest ebb, they seized their opportunity, and I conceded. I agreed to sign a confession.

Extracts from *Cruel Fate* by Hugh Callaghan and Sally Mulready, published this month by Poulton Press, £5.99

Law changes to repair 'weaknesses'

Package tilts scales
in favour of police,
Alan Travis and
Clare Dyer report

THE Government's "second instalment" of its law and order package disclosed yesterday is designed to tilt the balance in the criminal justice system further against the accused and in favour of the police and prosecution.

The Attorney General, Sir Nicholas Lyell, has indicated that measures will be adopted to "repair the weaknesses in the criminal justice system".

Many of the measures arise from Lord Runciman's Royal Commission on Criminal Justice, which reported in July. They include:

- Abolition of the ban on police questioning of suspects as soon as they have been charged. Current rules say police must charge suspects as soon as there is sufficient evidence. Police say this prevents them following up other avenues of inquiry and involves the temptation to hold suspects much longer than needed before they are bailed or remanded, in case further information emerges.

Runciman backed the proposal on condition the caution was repeated and the accused was allowed to secure a solicitor to be present at further interviews.

- Introducing formal "plea bargaining" between judge and defendant. Under so-called "sentence canvassing" the defence will be able to ask both judge and prosecution the highest sentence likely if the defendant pleads guilty before the full trial. The pre-trial hearing would be the last chance for a defendant to get the full 30 per cent "discount" on sentence if he pleads guilty.

Sir Nicholas backs this recommendation and says it should be carried out in open court subject to reporting restrictions. He says he does not rule out full US-style plea bargaining where the defence negotiates charges and sentence directly with the prosecution before the full court hearing.

- In complex fraud trials "ar-

rangements to be adopted which ensure a better co-ordinated disposal of proceedings by prosecutors and regulators under the auspices of the court".

This adopts a Bar Council recommendation that defendants in borderline cases prepared to admit they acted wrongly but not dishonestly, should be disposed of by fines without a trial.

"With major fraud the public interest demands more than mere punishment," says Sir Nicholas, adding that prosecutors also need to recover any "ill-gotten gains" and distribute them to those who have lost.

- The "overcumbersome" burden on the prosecution to disclose all relevant documents to the defence is to be restricted. The rulings in the Judith Ward and Guinness cases on what it was necessary to disclose were so broadly construed that they did not meet all the interests of justice. In recent months cases have been dropped because disclosure rules have put at risk individuals involved in intelligence-based operations.

- Limit on right to silence will operate as it has done in Northern Ireland since 1988. Home Secretary gave no details on Wednesday. "Where there is already sufficient other evidence before the court on which it would be open to the jury to find the case proved against the defendant, it should be possible for the jury to take into account, if the judge rules that it is judicially proper to do so, the defendant's failure to give an explanation in the face of relevant questions fairly put," Sir Nicholas said. He added that the recent Northern Ireland "right to silence" test case of Regina v Murray is to go to the European Court of Human Rights in Strasbourg, where he said he believed it would not be found contrary to the European Convention on Human Rights.

In the case, a prisoner convicted of terrorist offences is claiming he was denied the right to a fair trial.

Liberty believes the proposed limit on the right to silence also contravenes the International Covenant on Civil and Political Rights, part of the UN charter, which guarantees protection against self-incrimination.

The organisation hopes to bring a test case if the legislation goes through.

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